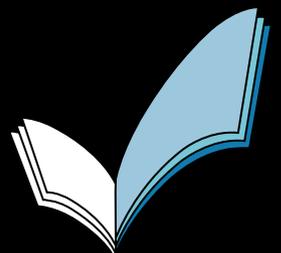




THE LAW SOCIETY
OF SINGAPORE

Practice Management Manual



PRIMELAW
PRACTICE MANAGEMENT EXCELLENCE
THE LAW SOCIETY OF SINGAPORE

Practice Management Manual

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Foreword

by V K Rajah, Judge of Appeal

PrimeLaw, the Law Society of Singapore (“the Law Society”)’s practice management certification scheme has been inspired by Lexcel, the Law Society of England and Wales’s practice management standard. It is a voluntary certification scheme that encourages law firms here to adopt internationally accepted work practices for law firm management.

Widespread acceptance of Lexcel in England and Wales by substantial numbers of law firms has apparently resulted in enhanced client satisfaction. Better management controls and improved standards in client care have reduced the number of complaints against Lexcel certified firms. It would undoubtedly benefit both the profession and the public if PrimeLaw were to have a similar impact in Singapore. But for this to take place the scheme must first be embraced by a wide cross-section of the profession. However, the sad truth is that, ordinarily, many law firms are slow to voluntarily embrace change if it inconveniences them. Voluntary schemes that do not bring immediate and palpable benefits may not work if they are not seen as essential. This is the harsh reality that must be addressed head on by the Law Society if PrimeLaw is to make even a modest difference to the wider profession. The Law Society has to find an effective way of educating both law firms and the public that a hallmark of good management practices is a testament of better client care and risk management standards prevailing in the certified firm. Law firms must also be made to understand that the adoption of good management practices is no longer simply an unbounded aspirational goal – it is now an indispensable aspect of practice. The insurance industry can also play a significant role in the implementation of this scheme. Perhaps, law firms that receive certification ought to be given generous insurance premium rebates. A symbolic gesture is not good enough. Firms that show a commitment to adhering to quality standards and ameliorating risk ought to be acknowledged in a meaningful way by their insurers.

Credit has to be given to the Law Society for commencing the arduous task of changing legal mindsets in relation to the desirability of adopting modern management practices. The effort, thought and care that has gone into the preparation of PrimeLaw is conspicuously striking and ought to be warmly lauded. The Implementation Manual has been clearly and concisely drafted. Practitioners will find the various checklists useful. The Practice Standards and Guidelines are essential reading for all practitioners with management responsibilities even if their firms do not intend to apply for PrimeLaw certification. The standards and processes outlined in the scheme are on the whole modestly pragmatic and can be met with relative ease by all law firms who care about the provision of quality services and client care. The recommended practices rightly place a balanced emphasis on caring for the interactive aspects of legal practice.

Attention given to small processoral issues invariably facilitates the development of a broader commitment to better client and employee care. An uncompromising commitment to employee welfare creates enthusiasm and professional pride. An enduring focus on client care reaps the rewards of client satisfaction and loyalty. Attention to professional risk management creates a safer work environment and builds a foundation for mutual trust and confidence between the firm and its clients. Firms that embrace PrimeLaw certification will find that it fosters a culture that promotes commitment to quality, productivity, sustainable growth and perhaps, eventually, improved financial returns. Firms that care about quality are the ones that have competitive advantages and are the most successful in the long run.

Law firms receiving this quality mark can expect to reap the rewards of increased management efficiency and better risk controls. The attraction of this scheme lies not just in its assurance of compliance with existing best practices but in its flexibility; it is available to legal practices of any size regardless of the type of work undertaken (but has particular relevance for medium sized and small firms).

I wish the Law Society and the profession every success in their commendable efforts to raise the bar for better practice management.

V K Rajah
Judge of Appeal
22 September 2010

Preface

by Michael Hwang, SC, President,
Law Society of Singapore (January 2008 to July 2010)

The dynamics of the legal industry over the last 10 years have changed significantly with increasingly more firms restructuring, dissolving and starting up. Many of these changes were brought about through the introduction of LLPs, LLCs and group law practices. On another front, there was the liberalization of the legal sector through the expansion of work that could be done by foreign firms, introduction of the Qualifying Foreign Law Practices and greater enhancements to Joint Law Ventures. This advent of change expectedly resulted in local law firms wanting to remain competitive by increasing the level of practice management and standards of client care.

The Law Society realized early that firms here needed to start running their practice efficiently, in a business-like manner and have in place modern business practices that allowed the firms to adapt to the changes which included the increasing level of service expected by clients, greater use of information technology and the increasing rate of employee turnover. Further, with the introduction of the Inadequate Professional Services complaints in the late nineties, practices employed by the firm's personnel from senior management to front line staff, needed to be aligned to the common aim of providing good client care. Clients in the meantime had become more educated in their demands, less tolerant of poor service delivery and delays and well aware that complaints could be laid and lawyers sued successfully.

One of the greater concerns the Law Society had was that lawyers had been trained to know the law and its application, but most had not been trained to run businesses and many were not equipped with the skills to run a practice efficiently like an ISO certified business. Such a commitment would require the hiring of business consultants and incur large investment costs. In order to lessen the burden for Singapore practitioners, the Law Society sought to bring to Singapore a unique and targeted quality assurance system that would be suited to the needs of the local practitioners and was not simply a generic quality assurance standard. In 1999, the Law Society consulted its English counterpart, and acquired its know-how on practice management systems. This know-how was painstakingly studied and modified to suit the requirements of the Singaporean practitioner. This modified adaptation was unique in that it was created with the sole purpose of addressing the particular needs of the Singapore legal practitioner and his business requirements. This practice management system called PrimeLaw was launched in late 2003.

PrimeLaw is a culmination of the Society's efforts to impart practice management skills by creating systems and processes to help firms achieve optimal levels of financial management, business planning, case and risk management.

This PrimeLaw Office Manual was developed to provide reliable reference material that firms could use as a complete guide when developing a practice management system for their firm. This manual is complete in that it encompasses information on what is required in terms of general management, personnel management, office administration, knowledge management, information technology use in firms, financial management, risk management, client care, case management, file management and closing of files. The manual also provides sample documents that can be used as templates for each of the areas mentioned above. The manual has been carefully put together and addresses varying needs entailed in running an efficient and effective firm in the current dynamic business climate. It also contains the latest Know-Your-Client and Client Due Diligence Checklists (the “AML” checklists) approved by the Council of the Law Society. As part of knowledge management and business continuity, every firm should have a practice management manual adapted to suit the individual needs of the firm. To enable every law firm to create a customised practice management manual, the Law Society also provides a softcopy of this manual on request.

I am glad that the 2011 revised edition of the PrimeLaw Manual is now completed and up-to-date. I am sure that this work will serve as a useful guide to many law firms in framing their practice management processes.

I take this opportunity to express my deep appreciation for the valuable contributions of the various members of the Practice Management and PrimeLaw Committee and the persons entrusted with the responsibility of coordinating the work in the respective disciplines.

Michael Hwang, SC
President
Law Society of Singapore
07 July 2010

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1.1 THE OFFICE MANUAL

The purpose of this Manual is to:

- a. Provide a clear statement of the Practice's objectives and operating principles;
- b. Describe the scope of responsibility of the main roles in the Practice; and
- c. Prescribe the processes and procedures that govern all activity within the Practice.

It is intended as an introduction to the Practice for the new members of staff and as a point of reference for all. The success of the Practice depends on each member of the Practice knowing what is expected of them and carrying out their responsibilities with dedication and professionalism. Our continuing reputation as a Practice that delivers excellent standards of service delivery and client care is critical if we are to retain old clients and win new ones.

To show our commitment towards achieving and maintaining those standards, the Practice is working towards PRIMELAW certification by the Law Society of Singapore. As a member of the Practice, we expect to receive your support and compliance with the policies and procedures set down in this Manual.

1.1.1 Use of this Manual

A copy of the Office Manual is issued to every new member joining the Practice. An electronic copy of the Manual is available on the Office Intranet. Hard copies of the Manual, for reference only, are freely available at the Resource Centre or upon request from the [Librarian / Office Manager].

You are expected to be familiar with the policies and procedures set out in this Manual.

1.1.2 Updates to the Manual

The Manual will be reviewed and updated every [12 months] or sooner, if the need arises. Only the [Office Manager], with the consent of the Managing Partner, is authorised to make changes to the Manual; and it is his / her responsibility to ensure that the electronic copy on the Office Intranet and the hard copies at the Resource Centre are up-to-date and contain the most recent amendments.

A notice of each amendment (including any new policies and procedures) and the date on which it will come into force will be issued to every member of the Practice who must initial an acknowledgement sheet to confirm that it has been brought to his / her attention.

To ensure that you refer only to the most up-to-date version of the Manual, you are advised to update your own copy of the Manual each time it is amended or to refer to the electronic copy on the Intranet or the hard copies at the Resource Centre.

1.1.3 Feedback on this Manual

Your feedback on the Manual is encouraged. To submit your feedback, please complete Appendix 1A – "Feedback on Office Manual" and return the completed form to the [Office Manager].

1.1.4 Forms and Templates

The Forms and Templates referred to in each section of the Manual are attached as appendices at the end of the specific section.

| | |
|---------------------------|--|
| Name: | |
| Date: | |
| Designation: | |
| Department: | |
| Section of Office Manual: | |
| Recommendation: | |
| Attachments: YES / NO | |

Signature

2.1 OUR PRACTICE

[Brief History and Profile of the Practice]

2.2 STATEMENT OF PURPOSE OF THE PRACTICE

[Brief Statement of Purpose]

2.3 SERVICES OFFERED

The Practice aims to offer a high quality legal service and unsurpassed standards of client care to all its clients. Services are offered in the following areas:

[Describe Services Offered]

2.4 BUSINESS PLAN

The Business Plan, Annual Budget, Marketing Plan and other Action Plans for the Practice are formulated by the management of the Practice and are reviewed periodically.

2.5 MANAGEMENT STRUCTURE

The Managing Partner of the Practice is [].

The management of the Practice is principally organised through partner meetings which are held [every month / every two months].

The other important managerial and administrative roles are:

| | |
|--------------------------------|-----|
| Finance Manager | [] |
| Risk Manager | [] |
| Office Manager | [] |
| IT Manager | [] |
| Book-keeper | [] |
| Librarian | [] |
| Training Partner | [] |
| Information Technology Partner | [] |

The organisation chart sets out the chain of management responsibility and accountability of the Practice and is attached as Appendix 2A.

A description of each of the management roles is set out in Appendix 2A.

2.6 PRACTICE STRUCTURE

2.6.1 Departments

The Practice is organised into [number] Departments / Practice Groups according to the [areas of practice specialisation / client industry type and profile]

These are:

[Specify Departments / Practice Groups and Areas of Practice Specialisation]

The Heads of Department are responsible for:

- a. Acceptance or rejection of instructions, including the discontinuation of matters;
- b. The levels of service delivery;
- c. Supervision of and providing guidance to the lawyers and members of staff;
- d. Development of expertise and business;
- e. Financial management; and
- f. Their specific department.

Each Head of Department is supported by an Assistant Head of Department. A list of the current heads and assistant heads of departments is attached as Appendix 2B.

2.6.2 Departmental Meetings

Departmental meetings involving the lawyers and members of staff of that department will be conducted at regular intervals presided over by the Head or Assistant Head of Department. These meetings are intended to be a forum for exchange of news, information and views relating to work in general as well as the practices of the Practice. Your feedback on management policies and procedures are welcome and you should take this opportunity to share them.

2.7 SUPERVISORY STRUCTURE

Every member of the Practice shall be assigned a direct supervisor. The direct supervisor for each fee-earner shall be a Partner (“the Supervising Partner”) of the Practice who bears the following responsibilities in relation to that fee-earner:

- a. Supervise and guide the fee-earner;
- b. Conduct reviews of the files of the fee-earner;
- c. Monitor the workload of the fee-earner to ensure that it is appropriate;
- d. Determine the acceptance or rejections of instructions;
- e. Assist the fee-earner to deal with clients’ complaints raised against the fee-earner;
- f. Approve of requests for leave and expense claims.

The name of the supervisor for each member of the Practice shall be specified in the Job Description.



Management Roles and Responsibilities

| DESIGNATION | RESPONSIBILITIES |
|--|------------------|
| Managing Partner | |
| Finance Manager | |
| Risk Manager | |
| Office Manager | |
| IT Manager | |
| Librarian / Knowledge Manager | |
| Bookkeeper | |
| Training Partner | |
| IT Partner | |
| Head of Department – Litigation | |
| Head of Department – Conveyancing | |
| Head of Department – Corporate | |
| Head of Department – Banking and Finance | |
| Head of Department – IP and Trademarks | |

Appendix 2B – Heads and Assistant Heads of Departments

| DEPARTMENT | HEAD | ASSISTANT HEAD |
|---------------------|------|----------------|
| Litigation | | |
| Conveyancing | | |
| Corporate | | |
| Banking and Finance | | |
| IP and Trademarks | | |

This section sets out the policies and procedures of the Practice relating to:

- a. Contracts of Employment and Job Description;
- b. Recruitment Policies;
- c. Induction Programmes;
- d. Personnel Appraisal;
- e. Personnel Training and Development Programmes; and
- f. Feedback and Communication Policies.

3.1 CONTRACTS OF EMPLOYMENT

A written contract of employment stating the terms of employment must be made between the Practice and each staff or lawyer joining the Practice. The contract of employment is effective from the first day of employment.

All contracts of employment must contain the terms of employment relating to:

- a. Remuneration;
- b. Scope of Duties;
- c. Annual Leave / Sick Leave Entitlement; and
- d. Termination.

3.2 JOB DESCRIPTION

It is the policy of the Practice that all members have agreed job descriptions. These may be any one of the job descriptions contained in Appendices 3A - 3D of this Manual or specifically agreed with the Managing Partner where the job description is more specifically defined to a unique role.

To ensure that the job description is kept up-to-date, the member of the Practice shall be invited to comment on the appropriateness of his or her job description and to suggest any amendments. If considered appropriate by the Managing Partner, the amended job description will then replace the current description on the member's personal file.

3.3 RECRUITMENT POLICIES

The recruitment procedure describes the process by which the skills and experience of candidates are matched with the Practice's specific requirements so that the right appointment will be made.

3.3.1 Recruitment of Lawyer

Recruitment of a new lawyer for the Practice requires approval of the Management. It is the responsibility of the [Head of Department / Managing Partner] to draft the job description and the person specification which should contain:

- a. Educational and Professional Qualifications;
- b. Professional Experience;
- c. Personal Skills (eg, language, industry-specific expertise etc);
- d. Personal Qualifications of Special Importance; and
- e. Personal Circumstances and Client Following.

The [Head of Department / Managing Partner] will determine the appropriate strategy for introducing a suitable field of candidates. Selection methods are confined to interviews conducted by the Head of Department and the Managing Partner. The interviewer shall use the Interview Assessment Form attached as Appendix 3E.

References are taken from the candidate at the interview and must be followed up by the Head of Department. The appropriate form is found in Appendix 3F – "Request for Referral".

3.3.2 Recruitment of Legal Executive / Legal Support Staff

The specific requirements are specified in the job description. Suitable candidates can be fielded from a variety of sources including:

- a. Job Centre / Recruitment Agencies;
- b. Press Advertising; and
- c. Personal Recommendations.

Candidates will be asked to submit a letter of application along with a resume setting out the skills, knowledge and experience they have relating to the requirements of the job. A shortlist will be prepared from the written applications and interviews with candidates on the shortlist will be conducted by the [Office Manager].

If a suitable candidate is decided upon, the Practice shall issue a letter of offer which must include a probationary period of [three] months.

3.4 INDUCTION PROGRAMME

When a new person joins the Practice, it is important that he or she becomes familiar with its policies and procedures as quickly as possible. The aim of the Induction Programme is to assist new members of the Practice integrate into the Practice in the shortest possible time to ensure continuity of service to our clients.

The Induction Programme is set out in the Induction Checklist attached as Appendix 3G. This Checklist sets out the steps to be taken to familiarise the member with the policies and procedures of the Practice. The induction procedures may also be applied to existing members of the Practice when they take up a new position / role within the Practice.

Induction of new staff and lawyers is the responsibility of the Office Manager who is responsible for making sure that all the items on the Induction Checklist are completed. The completed Induction Checklist shall be stored in the member's personal file.

3.5 PERSONNEL APPRAISAL SCHEME

The Practice operates a Personnel Appraisal scheme for all members of the Practice. The scheme involves an Appraisal Interview by the Head of Department or Supervising Partner in which a review of the past performance of the Appraisee is undertaken and the goals and strategy for the year ahead are established.

3.5.1 Guiding Principles of Personnel Appraisal Scheme

A very important part of the Personnel Appraisal Scheme is that objectives are agreed upon which will provide a framework for the demands of the coming year – including your continued development as a valued member of the Practice.

The Personnel Appraisal Scheme will operate within these Guiding Principles:

- a. Open – full guidance on the scheme is given in this Manual so that both parties know how it works. Nothing recorded by the Appraiser will be kept secret from the Appraisee as both parties will sign the completed Appraisal Report;
- b. Confidential – only the Head of Department, Assistant Head of Department and Management will have access to the Appraisal Report aside from the Appraiser and Appraisee;
- c. Consistent – the same guiding principles will be used in the appraisal of all members of the Practice. Fee-earners and staff will complete their respective Appraisal Forms;
- d. Objective – the appraisal will focus on actual conduct, performance and personal attributes, not on generalisations or personalities;

- e. Self-Assessment – the member being appraised is encouraged to contribute fully to the appraisal as a form of self-assessment; and to receive the comments constructively in a problem-solving, objective-setting frame of mind; and
- f. Forward Looking – the greatest value of reviewing past performance is to identify the successes which can be built on and problems that can be resolved by both the Management and the member working together. The appraisal will also identify training needs and new opportunities for personal development.

3.5.2 Frequency and Date of Personnel Appraisals

Personnel Appraisals will take place in [month] every year.

3.5.3 Responsibility

The Appraisal will be conducted by the Head of Department or the Supervising Partner.

The Office Manager will have the overall responsibility for administering the appraisal procedures.

3.5.4 Personnel Appraisal Forms and Procedures

These procedures define the scope of responsibilities and set out the processes for conducting the Personnel Appraisal:

- a. A Pre-Appraisal Questionnaire (Appendix 3H) will be issued to you at least two weeks before the date of your appraisal interview;
- b. You will be kept informed of the date and time of the Appraisal Interview; and
- c. The Appraiser should ensure that sufficient time is allocated for the interview and that neither party is interrupted during the course of the interview.

Using the Personnel Appraisal Report as a guide, the appraisal interview should cover these four key elements:

- a. Review of the Job Description;
- b. Review of the member's achievements for the Past Year, including (for fee-earners) the achievement of time recording, billing and fees collected targets for the year;
- c. Agreed objectives and plan for the next year; and
- d. Identification of appropriate training or development needs.

3.5.5 Personnel Appraisal Report

On completion of the Appraisal Interview, the Appraiser will complete the Personnel Appraisal Report. Two copies are signed – one copy is retained by the Practice and the other is given to you. The Appraiser will hand the completed and signed report to the Managing Partner. This Report will be filed in your personal file.

The Personnel Appraisal Report is found in Appendix 3I.

3.5.6 Follow Up Action

It will be the immediate responsibility of the Appraiser to follow up with any action that was agreed as part of the appraisal which may necessitate discussion with the Managing Partner / Office Manager or Training Partner to be raised at the next management meeting. The Appraiser will keep you informed of follow-up action being taken.

3.6 TRAINING AND DEVELOPMENT PROGRAMME

The Practice aims to maximise job satisfaction and performance levels of all its members through providing appropriate training.

3.6.1 Objectives of Training Programme

The Practice regards the training and development of its members as being vital to its future and to achieving its practice goals. It is the policy of the Practice to ensure that all members of the Practice are competent to perform the tasks that they are responsible for and that professional development is continually addressed in a manner which is appropriate to a dynamic and progressive Practice.

3.6.2 Responsibility

The Training Partner is responsible for planning, coordinating and overseeing the training needs of each member of the Practice. He / she will also present an annual training budget and an implementation plan for approval by the Management.

3.6.3 Identification of Training Needs

Training needs are identified at Personnel Appraisal interviews. Further, training needs may also be identified during normal business operations. All members of the Practice are encouraged to be on the look out for appropriate training activities and courses that would further develop their skills and professional expertise.

An application to attend an appropriate training course may be made to the Training Partner by using the Members' Training Request Form found in Appendix 3J.

3.6.4 Training Attendance and Records

All members who have been granted permission to attend a training course must be present for the duration of the course. Upon completion of the training, you must confirm your attendance at the course and complete a Course Evaluation Form found in Appendix 3K.

3.7 FEEDBACK

The Practice aims to establish an environment that:

- a. Fosters open and regular communication between the Management and other members of the Practice; and
- b. Encourages a culture of feedback that results in continuous improvement to internal processes and improvement of the working lives of all members of the Practice.

3.7.1 Staff Focus Group Meetings

The main communications strategy for members of staff is the operation of a staff focus group, which meets regularly once every quarter on [month]. The meeting is open to all members of staff and everyone is encouraged to attend.

The Staff Focus Group meetings are presided over by elected representatives who will present the feedback and suggestions for improvement to the [Head of Department / Managing Partner].

Suggestions on issues or areas of interest for discussion at the Staff Focus Group meetings should be provided to the designated Focus Group Coordinator prior to each meeting.

The aim of the Staff Focus Group Meeting is to provide a platform for:

- a. Members of staff to provide feedback to the Management;
- b. Members of staff with key responsibilities (eg, IT, Office Administration, File Opening, HR etc) to inform staff of changes or new procedures in these areas; and
- c. Members of staff who have attended training or who have experience to share to disseminate their training / experience to other members.

3.7.2 Staff Survey Form

A Staff Survey will take place annually. The aim of this survey is to obtain feedback and suggestions for improving the internal processes and working conditions of the Practice. All staff must complete and return the form within [one month] from the date of issue of the survey.

The Staff Survey Form is attached as Appendix 3L.

The results of the Staff Survey will be disseminated and openly discussed at the next Staff Focus Group Meeting after the conclusion of the Survey.

Appendix 3A – Job Description for Legal Support Staff

Name and NRIC No.: _____

Department: _____

Reports To: [Name of Supervising Partner] _____

Category: Staff _____

Head of Department: _____

Job Specification: Legal Support Staff _____

General Description: To provide cost-effective administrative and secretarial support to [name of Supervising Partner] and other lawyers in the team in the work of the department.

Key Tasks: Undertake certain elements of fee-earning work under supervision. In particular:

- File Opening Procedures, including conflict checks and client / matter data input.
- Generating suitable client care correspondence.
- Drafting standard documentation.
- Attending to routine client enquiries and communications.
- Preparing invoices and statements of accounts.
- Scheduling appointments and diary entries for Key Dates.
- Managing matter deadlines, monitoring progress of matter and generating matter status reports.
- Managing case closure and archiving process.

The jobholder is not designated as a matter handler for file review purposes and does not therefore have her / his own file caseload.

Person Specification: The main qualifications for this position are:

- Prior working experience of [type] work over a [number] year period in a law practice.
- Display a pleasant, but confident manner in dealing with colleagues and clients. Tact and resilience are essential qualities.
- An effective communicator, both orally and in writing, having a good command of English [and other languages].
- Efficient and well organised, with good control of diary systems.
- Excellent Word Processing skills and familiarity with [name of Practice Management / Matter Management System] is a bonus.

Name and NRIC No.: _____

Department: _____

Reports To: [Name of Supervising Manager] _____

Head of Department: _____

Category: Staff _____

Job Specification: Administration Staff _____

Key Tasks: Undertake administrative and operational tasks under supervision.
In particular:

- Typing and data input
- Preparing post for despatch
- Acting as relief receptionist
- Assisting in court documentation, including preparation of court documents
- Providing assistance in any operational and administrative capacity

Key tasks for book-keeper / cashier: Trained in the principles of book-keeping and preferably with sound experience in legal cashiering. To undertake:

- Daily banking functions including bank reconciliations.
- The administration and reconciliation of petty cash.
- The processing of client and office accounting transactions including postings.
- The preparation of cheques.
- The processing of bank transfers.
- The control of designated client deposit accounts.
- The preparation of credit control advice.
- The administration of the purchase ledger.
- Financial management reporting as required.
- The preparatory work for the annual accounts.
- Central Provident Fund Contribution system.
- GST administration and returns.(where appropriate)
- Administration of practising certificates, professional indemnity insurance.

Person Specification: Smart in appearance and manner and has a willingness to learn administrative skills in a professional office.
[specify qualification / educational certificates required]

Appendix 3C – Job Description for Legal Assistant

Name and NRIC No.: _____

Department: _____

Reports To: [Name of Supervising Partner] _____

Head of Department: _____

Category: Fee-earner _____

Job Specification: Legal Assistant _____

To undertake fee-earning work and provide a profitable contribution to the work of the department. In particular:

To manage all client work allocated by [Supervising Partner] or other partner, and in accordance with detailed procedures and quality standards contained in the Practice's Office Manual.

To ensure that all client work is progressed expeditiously and that the client is kept regularly informed on progress and costs.

To exercise high standards of client care in a professional and pleasant manner at all times.

To ensure confidentiality and security of all of the Practice's and client documentation and information.

To achieve agreed levels of billing and time recording.

In close liaison with the Accounts Department to be responsible for overall responsibility for credit control on own matters.

To comply with the Legal Profession (Professional Conduct) Rules 1998 and the Legal Profession (Solicitors Accounts) Rules 1998.

To maintain clear and precise communications with other personnel of the Practice.

To ensure good working relationships with external institutions and organisations.

To supervise, support and develop immediate support staff.

To take responsibility for and attend to self-development.

In conjunction with the Practice, to comply with the relevant training requirements of the Law Society and to assist with in-house training as may be required.

In liaison with the Head of Department and other partners, to be active in promoting the services of the Practice and its image and ethos.

Specific responsibilities – [Specify specific tasks]

Person Specification: Admission as an Advocate and Solicitor of Singapore.

Minimum of _____ years' post-admission experience in [specify areas of practice].

Excellent word processing and communication skills in English, Chinese [other languages] is required.

[specify other requisite skills and experience]

Name and NRIC No.: _____

Department: _____

Reports To: [Name of Head of Department] _____

Head of Department: _____

Category: Fee-earner _____

Job Specification: Partner _____

The commitment of a partner is beyond that expected of an employee. A partner is a prime fee earner as well as involved in the management of the Practice. A partner is expected to devote such hours as are required to carry out the full role of a partner including the duties summarised in this document.

A partner must undertake fee-earning work and provide a profitable contribution to the work of the department as well as undertake management responsibilities and business development activity to ensure the successful development of the Practice in line with its business plan.

Key Roles and Responsibilities:

Administrative

To undertake compliance with and to be fully aware of all aspects of requirements imposed on a Partner by statutory and Law Society rules and regulations.

To comply faithfully in all respects with the impositions of the partnership deed and all resolutions, directions or request from any body or group exercising delegated authority of the partners.

To encourage and promote the image and ethos of the Practice.

To seek actively ways to contribute to the continuing evolution and development of the Practice.

To have special regard for the needs and interests of any member of staff within an area of responsibility delegated to the partner.

To advise and supervise any member of staff and especially within an area of responsibility delegated to the partner.

To contribute towards training both in respect of staff and own self-development.

To undertake both staff and partner appraisals.

To communicate the needs of the partnership especially to all members of the staff within an area of responsibility delegated to the partner.

To undertake any specified management responsibility.

To be familiar with and comply with the requirements of the Practice's Office Manual and Quality Standards procedures.

Fee-earning:

To ensure the confidentiality and security of all Practice and client documentation and information.

To maintain high standards in the processing of client work, both in respect of professional standards and client care.

To maintain good professional working relationships with external institutions and organisations.

To adhere to agreed practice procedure as determined from time to time.

To achieve agreed financial targets, both in respect of fee income and the recording of chargeable hours.

To provide advice, guidance and thorough supervision to subordinate fee-earners and support staff within an area of responsibility delegated to the partner.

To develop leadership skills and the ability to optimise team performance.

Through training and other means, to keep fully up to date with relevant legislation and practice.

To monitor and help develop systems and procedures within the partner's work area, including the use of technology.

To market the Practice's client services.

To assist in the development of new products and service opportunities.

Special duties:

[Specify any special duties, responsibilities or appointments of the partner]

Person Specification: Admission as an Advocate & Solicitor of Singapore.

Minimum of _____ years' post-admission experience in [specify areas of practice].

[specify other fee earning capacity or goodwill]

| | |
|--------------|--------------------|
| VACANCY FOR: | NAME OF CANDIDATE: |
| | |

| FACTOR | COMMENTS | RATING** | | | | |
|---|----------|----------|---|---|---|---|
| | | A | B | C | D | E |
| **A=Excellent, B=Good, C=Average, D=Poor, E=Very Poor | | | | | | |
| Qualification | | | | | | |
| Training | | | | | | |
| Knowledge and Skills | | | | | | |
| Relevant Experience | | | | | | |
| Personality | | | | | | |
| References: | | | | | | |
| 1. | | | | | | |
| 2. | | | | | | |
| Recommendation and Actions: | | | | | | |
| | | | | | | |

| | |
|------------------------------|--------------------|
| INTERVIEWER / HEAD OF PANEL: | DATE OF INTERVIEW: |
| | |

Appendix 3F – Request for Referral

Dear Sir / Madam

Re: Reference Request

Mr / Mrs / Miss / Ms [name] has applied for the position of [specify] in our Practice.

Mr / Mrs / Miss / Ms [name] has given us permission to contact you and any information you provide will be treated in strict confidence.

I would be grateful if you could provide us with details of his / her position in your organisation and comment on his / her suitability for the position applied for.

Please provide any additional information which would be relevant to this reference.

Yours faithfully,

Appendix 3G – Induction Checklist

| | |
|--|----------|
| PRIOR TO START DATE | |
| Prepare Office Manual and Other Notices / Memos | Yes / No |
| Prepare Stationery and Access Card / Passwords / Other Authorisation | Yes / No |
| Prepare Desk and Workstation | Yes / No |
| Brief Department / other staff | Yes / No |
| Arrange Training for – PMS, Telephone, Office Intranet, Email / Internet Use | Yes / No |
| Schedule appointments to meet key colleagues and Partner / Head of Dept | Yes / No |
| DAY ONE | |
| Welcome to the Practice and Introduction to lawyers and staff | Yes / No |
| Issue Office Manual and Access Card / Passwords etc | Yes / No |
| Discussion on Professional Standards | Yes / No |
| Discussion on Practice Policies and Procedures | Yes / No |
| Briefing by IT Manager on IT Policies and Procedures | Yes / No |
| Briefing on Personnel Policies – salary, leave, expense claims, feedback | Yes / No |
| Introduction to Job Description | Yes / No |
| Introduction to Personnel Appraisal Process | Yes / No |
| Training Plans and Arrangements | Yes / No |
| MONTH ONE | |
| Review of the Job Description | Yes / No |
| Discussion on Personal Goals and Practice Objectives | Yes / No |
| Agree Training and Development Plan to meet Practice Objectives | Yes / No |

Appraisal of: _____ Appraisal By: _____
 (Name of Appraisee) (Name of Appraiser)

Job Title: _____ Date: _____

Department: _____

In order to prepare for your appraisal meeting, please spend a little time considering the issues raised in this form. You should note your comments so that you will be able to discuss the issues raised. This form will not be taken in by the person conducting your interview and does not form part of the formal record of the interview.

The appraisal meeting is your opportunity to:

- a. discuss your work and how it fits in with the work of the team that you belong to and the Practice;
- b. agree on possible improvements to your role and the means by which improvements will be achieved; and
- c. decide what training might be appropriate during the year ahead.

At your appraisal meeting a report form will be filled in. You will see this report and you should sign it only if you agree with the comments contained in it.

Job Description:

You will find attached to this form a copy of your current job description. Is this a fair and correct description of your role or does it need amending? If so, how?

Your Work:

What do you like best about your job?

And what do you like least about your job?

(Fee-earners and Managers only) Financial Targets:

Review the attached reports on time recording, billings and fees collected budgets vs actual performance, and consider the factors which enabled you to meet or not meet each of these targets.

Your Team:

How could your job be reorganised to make it more satisfying for you and / or more effective for the Practice?

Would you benefit from changed supervisory arrangements? If so, what changes would you suggest?

Your Goals / Personal Development:

Are there any personal goals that you would like to set for yourself over the next year? If so, what are they?

In which areas would you welcome training, if any?

Your Appraisal Interview is scheduled to take place on: _____

This form will form the basis of discussion between yourself and the Appraiser. It will then be a formal record of the appraisal interview. Appraisers should not record comments unless they have been discussed and, preferably, agreed. If agreement is not possible please set out the different views held.

Appraisees are asked to sign the form at the end. This Report, once completed, will be kept strictly confidential between the management and yourself.

| | |
|--|--|
| Appraisal of: _____ (Name of Appraisee) | Appraisal By: _____ (Name of Appraiser) |
| Job Title: _____ | Date: _____ |
| Department: _____ | |
| <p>Job description:</p> <p>Do you consider that the current job description is in need of amendment? If so, please note the required changes here.</p> | |
| Competence and Expertise: | |
| Knowledge of the Practice and Compliance with Policies and Procedures: | |
| Volume and Organisation of Work / Ability to Meet Deadlines / Reliability: | |

(Fee Earners Only) Problem Solving and Decision Making Abilities:

(Fee Earners Only) Ability to Meet Financial Targets:

Relationship with Colleagues / Teamwork

Communication:

Please comment on communication, both written and verbal, with colleagues, clients and others.

Personal Goals:

In the light of the above, please try to agree on a number of performance objectives. Please be as specific as possible and put a time limit on each.

- 1.
- 2.
- 3.

What training might assist in achieving the objectives set out above?

- 1.
- 2.

General Comments by Appraiser:

Signed by Appraiser:

Date: _____

General Comments by Appraiser:

Signed by Appraiser:

Date: _____

Future Action (if any):

- 1.
- 2.
- 3.

Comments from Management and Overall Report:

Appendix 3J – Training Request Form

Name of Proposed Course:

Subject Matter:

Course Provider:

Venue:

Date and Duration:

What will you learn from this course?

How will the Practice benefit from this course?

Signed by Applicant:

Name of Applicant:

Date of Request:

Name of Course:

Trainee: _____ Department: _____

Date of Course: _____

I did not attend this course because:

I attended this course and append my evaluation below:

| | |
|--|------------------|
| <p>1. Relevance to my work:</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Not Relevant Very Relevant</p> | <p>Comments:</p> |
| <p>2. Quality of Course Content Comments:</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Poor Excellent</p> | |
| <p>3. Quality of Course Presentation Comments:</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Poor Excellent</p> | |
| <p>4. Quality of Course Administration Comments:</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Poor Excellent</p> | |
| <p>5. Meeting My Learning Objectives Comments:</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Not met Well met</p> | |
| <p>6. Overall Comments / Recommendations</p> | |

Appendix 3L – Staff Survey Form

We would like to know how you feel about working for the Practice, and how we can improve the way we operate to benefit both staff and clients. We would be grateful if you could help us by completing this survey form and submitting it to the Office Manager in the enclosed envelope. Your comments on the Form will be kept confidential.

Q1 Are there any improvements to the way in which you work that would make you more efficient?

Q2 Do you possess skills, knowledge or experience which are not optimally used in the Practice?

Q3 Does your job description properly describe your duties and responsibilities?

Q4 Do you feel out of depth or that you need more supervision or guidance?

Q5 Do you feel ready to take on other responsibilities? State them here.

Q6 Do you feel that the Practice adequately communicates information to all staff?

Signature:

Date :

Name of Staff:

This section sets out the policies and procedures relating to the general office administration, in particular:

- a. The role and responsibility of the Office Manager;
- b. Office Premises and Security;
- c. Stationery and Office Equipment;
- d. Mail, Facsimile and Courier;
- e. Telephone Directory;
- f. Office Intranet;
- g. Application for Leave;
- h. Overtime Pay and Reservist Pay; and
- i. Travel Expenses and Other Claims.

4.1 THE OFFICE MANAGER

The Office Manager is responsible for all administrative and operational tasks related to the running of the Practice.

4.2 OFFICE PREMISES

The Practice operates out of premises at [Address of Office; if operating branch offices – also state them here] (“the Office”). The building in which the Office is located and its common areas are maintained by the Landlord, [name of Landlord].

4.2.1 Security of Office Premises

The Office is protected by [name of system], security access and burglar alarm system.

Access to the Office is through your Security Access Card issued to you when you join the Practice. Your Security Permitting Access Card is issued to you personally and you are strictly prohibited from sharing your card or permit with any third party to use the card. You are responsible for keeping your Security Access Card safe at all times. Lost cards must be reported to the Office Manager immediately and a penalty for the cost of replacement of the lost card may be imposed on you.

Only the front door leading to the Reception will be open during normal office hours. All side doors to the Office are self-locking. You must use your Security Access Card to gain access to the Office from these doors or through the front door outside of normal office hours.

4.2.2 Power Off

You are responsible for ensuring that your workstation and the lights and other equipment in your section are turned off at the end of every work day.

4.2.3 Health and Safety at Work

Our Practice has a general policy to as far as we are able, you have a safe and comfortable environment in which to work. We are not aware of any unusual hazards to your health and safety and provided that reasonable care and common sense is used in handling the office equipment, there is nothing more dangerous encountered here than you would encounter in your own home.

4.2.4 Fire Safety

The Building is protected by [name of fire safety policies]. As part of the system, fire detectors located within the Office premises will detect a fire and turn on the fire sprinkler system automatically. The Landlord is responsible for ensuring that the fire detectors / sprinklers and fire alarm system in the Building is operational at all times.

Routine fire drills are conducted by the Landlord. You are requested to participate in the fire drills and to familiarise yourself with the fire safety and evacuation procedures issued by the Landlord.

In the event of a fire, raise the alarm immediately and do not attempt to put the fire out in disregard for your own personal safety. You are required to comply with the Fire Safety and Evacuation procedures issued by the Landlord.

4.2.5 Theft of Personal Belongings

You are responsible for the security of your own personal belongings which you bring into the Office Premises. The Practice keeps an insurance cover primarily for the property of the Practice and will not necessarily cover your personal belongings.

4.2.6 No Smoking Policy

The Practice operates a strict “no smoking” policy throughout the Office Premises including the common areas leading to the Office Premises (including the lobby areas and the stairwell). This policy applies to Clients as well as employees, and should be requested politely to refrain from smoking if they attempt to do so.

4.3 STATIONERY

The Office Manager is responsible for the stock control of all items of stationery.

If you need stationery, you are required to submit a Stationery Request form describing the item and quantity that you need. A copy of the Stationery Request form is attached as Appendix 4A.

Only the Office Manager has authority to place orders with the designated Stationery Suppliers. He / She is also responsible for making regular stock checks and replenishing stock of any item that is running low.

4.4 OFFICE EQUIPMENT

The Practice has made and continues to make a substantial investment in a wide range of office technology and hardware to facilitate your work and to make working life easier for you.

The policies and procedures relating to the maintenance and handling of office equipment is found in Section 5 on “Technology Systems and Use”.

All faults on office hardware and equipment must be reported to the Office Manager at once. Refer to Section 7 (on Outsourced Services) on the procedure for reporting faults and requesting for services from Outsourced Service Providers.

4.5 BOOKING OF MEETING ROOMS / PRESENTATION EQUIPMENT

Meeting / Conference rooms and other shared facilities, such as the digital LCD projector, must be reserved in advance by informing the Receptionist who will let you know at the time of booking whether or not it is available on the day and at the time you need it. If your meeting is thereafter cancelled or postponed, please inform the Receptionist of the cancellation or change.

4.6 MAIL, FACSIMILE AND COURIER

4.6.1 Incoming Mail and Facsimile

All incoming mail is opened by the Mail Clerk and distributed to the fee-earner or his / her secretary to whom the correspondence is addressed. Incoming faxes must be collected from the specified fax machine operating in your department.

Where it is not possible to identify the intended recipient of an incoming mail or fax (e.g. where there is no reference), it will be placed in the “Undistributed Mail” folder. The Mail Clerk will attempt to ascertain the lawyer in charge of that matter by referring to the client / matter database, or by making a telephone call to the sender.

4.6.2 Outgoing Mail and Facsimile

All letters issued by the Practice must be on the Practice’s letterhead and signed off by the lawyer in charge of the matter. All outgoing faxes must contain the prescribed facsimile cover and signed off by the lawyer in charge of the matter. Both letters and faxes must contain the prescribed sign-off; a sample is contained in Appendix 4B.

There are two daily despatches of mail [at 10 am and 3pm daily]. You are responsible for ensuring that your mail is duly sent to the Despatch Centre at the Reception before those times.

The Practice is a subscribing member of PDX. Please use the PDX system for sending mail to other parties who are also members of PDX as this is quicker than normal mail. The procedure for sending mail by PDX is attached as Appendix 4C.

4.6.3 Courier Services

The Practice uses [name of local courier service] for courier services to local addresses and [name of international courier service] for international courier services to overseas destinations.

The procedure for sending mail by courier is attached as Appendix 4D.

4.7 TELEPHONE SYSTEM AND DIRECTORY

Procedures and Guidelines for using the Practice’s [PABX / Phonenet / Name of System] telephone system to pick up / redirect calls / set voicemail messages is attached as Appendix 4E.

The Practice’s internal telephone directory is available for reference and attached at Appendix 4F – “Telephone Directory”. Access to all extensions is available on your telephone and is [dialled directly / prefixed by #___]

4.8 OFFICE INTRANET

The Office Intranet has been set up to provide an easy means of relaying information quickly to all Members of the Practice. You are expected to refer to it daily for updates on policies and procedures, forms and directory listings.

The Office Intranet is also used by the Librarian to inform members of the Practice on changes in the law, cases that the Practice is involved in and other useful professional updates.

If you have information which you think would be useful to your colleagues, you are encouraged to put it up on the Office Intranet. Please send the information to the Librarian.

4.9 APPLICATION FOR LEAVE

4.9.1 Annual Leave

The number of days of Annual Leave you are entitled to is governed by your contract of employment with the Practice.

Subject to prior agreement by your Supervising Partner, there is generally no restriction on when the holidays may be taken or the number of days leave taken at one time; however you are required to give not less than [] days notice if the period of leave is more than [] days and not less than [] days notice is for leave periods lesser than [] days. Unused Annual Leave entitlement for that year [may / may not] be carried forward to the next year.

For all requests to take Annual Leave, you are required to submit a Leave Application Form – Appendix 4G – which must be approved and signed by your Supervising Partner and then submitted to the Office Manager who is responsible for recording the details in a register.

4.9.2 Compassionate Leave on Special Grounds

Paid Leave which is not part of your Annual Leave entitlement in your Employment Contract may be given at the discretion of the Management in certain circumstances, such as bereavement or emergencies.

4.9.3 Leave of Absence for Official Reasons

If you are required to be absent from the Office for business or official reasons such as reservist training, legal conferences or onsite client attachments, you should notify your Supervising Partner as soon as the dates and the period of absence is confirmed.

4.9.4 Sick Leave

You are required to report all periods of sick leave to the Office Manager by submitting the form attached as Appendix 4H – “Sick Leave Notification Form” together with a valid medical certificate from the Practice’s doctor.

4.10 OVERTIME PAY

When any member of Staff is required by a Partner to work overtime, he or she is entitled to overtime pay [at the standard rate of S\$__ per hour / as stated in the Employment Contract] or, alternatively, time off in lieu may be taken by arrangement with the authorising Partner. However, all overtime must be authorised by the authorising Partner and approved by the Head of Department in the form given in Appendix 4I.

4.11 TRAVEL AND OTHER EXPENSE CLAIMS

All claims for travelling and other expenses must be accompanied by the receipt and approved by your direct supervisor in the Claim Form in Appendix 4J.

4.12 RESERVIST PAY

If you are called up for reservist in-camp training, you must notify the Office Manager as soon as the dates of your training are known so that an application can be made on your behalf for reservist pay.

Request By:

Date:

Department:

| Description of Items Requested | Quantity |
|--------------------------------|----------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Confirmed Received:

Date:

PRIMELAW CHAMBERS LLP

Advocates & Solicitors | Commissioner for Oaths

Our Reference:

Your Reference:

800 Robinson Road #01-08
Singapore 123456
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FAX

TO: _____ FROM: _____

FAX: _____ PAGES: _____

PHONE: _____ DATE: _____

RE: _____ CC: _____

Urgent

Copy Only

For Review

Please Reply

This fax transmission is for the intended recipient only. If you have received this is error, please call +65 6123 4567

Sign Off Template

Yours Truly,

[Writer's Name]

[Writer's Email]

[Attach copy of Practice's standard procedure for outgoing mail using PDX]

[Attach copy of Practice's standard procedure when using a courier]

[Attach copy of Practice's telephone system operating procedure]

[Attach copy of Practice's telephone directory]

To: Date: _____
(Supervising Partner / Office Manager)

RE: Application for Annual Leave

I hereby submit my request for annual leave for the following dates:
_____ to _____ (inclusive);
comprising _____ working days.

My Leave Cover is:

Signed: Name: _____
Department: _____

RESPONSE CONFIRMATION:

Agreed

Agreed with Conditions: _____

Not Agreed because: _____

Leave Allowance for 20 _____ Remaining Allowance: for 20 _____

Signature of Supervisor:

Confirmed Recorded: Date: _____

Appendix 4H – Sick Leave Notification Form

To:

Date:

(Supervising Partner / Office Manager)

RE: Notification of Absence Due to Illness

Please note that I was absent because of illness on the following working days:

_____ to _____ (inclusive);

comprising _____ working days.

I enclose a medical certificate from _____

Signed:

Name:

Department:

To: Date: _____
 (Supervising Partner / Office Manager)

RE: Application for Overtime Pay

I hereby submit an application for Overtime Pay for the following period:
 _____ to _____ (inclusive);
 comprising _____ working hours.

Signed: Name: _____
 Department: _____

RESPONSE CONFIRMATION:

Agreed

Agreed with Conditions: _____

Not Agreed because: _____

Signature of Supervisor: Date: _____

ACCOUNTS CONFIRMATION:

Standard Overtime Rate: \$ X _____ hours = \$

Confirmed Recorded:

Appendix 4J – Expenses Claim Form

Claim by:

| |
|--|
| |
| |
| |

Date:

Designation:

Department:

| DESCRIPTION OF CLAIM** | AMOUNT | APPROVED BY |
|------------------------|--------|-------------|
| | | |
| | | |

** Notes:

1. All claims must be accompanied by the relevant receipt.
2. Please insert details of claim – if entertainment expenses, state client / prospects name, time and event; if travelling expenses, state matter no, destination and mode of travel.

Signed:

| |
|--|
| |
|--|

ACCOUNTS CONFIRMATION

Total Claim: S\$ _____

Recorded : _____

The Practice has installed and made provision of IT systems and services to facilitate efficient and timely delivery of legal services to our clients. The Practice is committed to continually updating and improving its IT systems for the benefit of the Practice as well as to improve the working life of its members.

These Policies:

- a. Describe the roles and responsibilities of the IT Manager and the IT Department; and
- b. Prescribe the guidelines and parameters of use that govern each type of IT facility or service.

5.1 IT DEPARTMENT AND MANAGER

The IT Manager is overall responsible for the management and operation of the Practice's IT systems including computer hardware, networks, software applications and services installed within the Practice as well as provided through Application Service Providers (collectively referred to as "the Practice's IT Systems"). In this role, he or she is assisted by a team of IT support staff comprising [number] IT professionals.

The IT Manager's duties include:

- a. General maintenance and system housekeeping to ensure that the Practice's IT Systems are operating optimally, including adhoc trouble shooting and disaster prevention;
- b. Keeping an inventory of the Practices' IT Systems, software license agreements (including version number, upgrades and register of authorised users), user logs, helpdesk and troubleshooting reports; and conducting regular technical audits of the Practice's IT Systems to ensure that the inventory is complete and up to date;
- c. Being responsible for the Practices' overall IT strategy and planning – including a yearly review of the Practice's IT needs and resources, drawing up an IT Budget, wish list and Implementation Plan, and making recommendations in relation to new legal technology;
- d. Being responsible for all data backups, data security (including anti-virus and firewalls) and implementing a disaster recovery plan;
- e. Primary liaison between the Practice and 3rd party IT Service Providers or Application Service Providers related to the Practice's IT Systems; and
- f. Devising and implementing a continuing IT Training programme to improve the IT skills of the members including enabling more effective use of the Practice's IT Systems.

5.2 SECURITY OF IT SYSTEMS

To maintain the integrity of the Practice's data and to ensure that the Practice's IT Systems operate with optimal efficiency in a virus-free environment, these policies and procedures set out the areas of personal responsibility in relation to the same.

In this paragraph, the "IT Department" refers to the IT Manager and the support staff working under the IT Manager.

5.2.1 Passwords

You have been issued passwords that allow you access to one or more of the following facilities in the Practice – your workstation, your email account, designated folders in the shared drive [set out facilities here – eg, DMS, EFS / JOL, search facilities ... etc]. These passwords are issued to prevent unauthorised use of these facilities by third parties. It is your responsibility to keep your password(s) secure. You will be prompted by the network server to change your password every [] months. Please do so when prompted. You are requested not to "recycle" your passwords or use your date of birth or family names.

Do not disclose your password or otherwise enable access to secure facilities to unauthorised third parties, regardless of whether they are a member of the Practice. If you have reason to believe that your password is no longer secure, or you have lost your password, you must send a request to the IT Manager to disable the lost password and to re-issue you with a new one.

5.2.2 Data Back Up Policies

The IT Department is responsible for devising and implementing a data back up and recovery plan as set out in Appendix 5A – “Data Backup Policies”. Automated backup procedures are scheduled every evening on the data stored in the Practice’s network servers. Your responsibility is to ensure that all matter work is saved in the [name of document management system / or appropriate matter folders in the Practice’s network server] as soon as it is completed. Non-matter work should also be saved in the Practice’s network servers as far as possible. In the event you have “lost” data due to PC failure or other reasons, you may approach the IT Department for the most recent backed-up copy of the data.

Documents or data that are not saved in the Practice’s network servers will not be backed up by the IT Department.

5.2.3 No Unauthorised Software Programs

You are not permitted to download from the Internet or install through CDROM or other removable media any software programs into the Practice’s IT Systems (whether licensed or not). If a software program is required to be installed in the course of your work, make your request known to the IT Manager who will be responsible for evaluating the software and making the appropriate recommendation. The IT Department shall be responsible for all downloads and installations of software.

5.2.4 Download or installation of 3rd Party Materials

Where, in the course of your work, you need to download material from the Internet, in an email attachment or CDROM or other removable media, (other than text files from parties known to you and are involved in an ongoing matter or from trusted sites), you must seek and obtain authorisation from the IT Department who will carry out appropriate anti-virus scanning and ensure that safeguards against malicious software codes are in place prior to the download.

5.2.5 Anti-Virus Software

The Practice’s IT Systems are protected by [name of anti-virus software] and regular virus-definition updates are supplied under the terms of the licence. The process of updating the virus definitions in your workstation will be automated as far as possible; however, there may be occasions where you will be required to activate the anti-virus update on your own workstation. In such situations, you will be given instructions to do so by the IT Department. Please extend your fullest cooperation to ensure that anti-virus updates are routinely activated on your workstation.

5.2.6 Stay Alert to Security Risks

To keep the Practice’s IT Systems virus-free, exercise caution when opening email messages from unidentified parties. Do not open any email attachment unless you recognise the sender AND you are expecting an attachment from the sender. Delete suspicious emails from your mailbox or alert the IT Department who will undertake the appropriate course of action in respect of the same.

Keep the IT Department informed if your workstation ceases to function with the same degree of efficiency or fails to perform requested functions. Do not attempt to trouble-shoot on your own without reference to or support from the IT Department.

5.3 USE OF PRACTICE’S IT SYSTEMS

In this section, the term “the Practice’s IT Systems” includes the office equipment such as photocopiers, scanners, projectors, JOL / EFS system, telephone system etc.

5.3.1 Misuse of Practice's IT Systems

The Practice has made, and continues to make, a substantial investment in the upgrade and renewal of the Practice's IT Systems. You are expected to exercise an appropriate degree of care when handling such equipment. Wanton misuse of the Practice's IT Systems resulting in damage or loss is tantamount to misconduct which may result in disciplinary action and the imposition of restrictions on your use of the system.

5.3.2 Reporting Faults

All faults on the Practice's IT Systems should be reported to the IT Department at once. It is especially important that you take a shared responsibility for reporting faults on common user items of equipment within the Practice so that these faults will receive attention at the earliest opportunity.

5.3.3 Inappropriate Use

The uses of the Practice's IT Systems to create, copy, transmit or disseminate inappropriate, illegal or offensive material is strictly prohibited.

For our purposes, inappropriate material (whether text, image, video, data or programs) is material that the Management perceives to be pornographic or obscene or contains racial, sexual or religious tones that does or could cause offence to any party, and includes material that contains or involves:

- a. Defamatory or illegal material;
- b. Unlicensed software, or pirated films or music;
- c. Breach of client confidentiality;
- d. Professional misconduct; or
- e. Breach of the Practice's security policies.

5.3.4 Personal Use

While the Management recognises and accepts that occasionally you may need to use the Practice's IT systems (eg, your workstation, copiers, scanners, email or Internet access) for your own personal use, it must be limited to brief and reasonable use that does not interfere with the timely and diligent performance of your official duties.

The use of the Practice's IT Systems to generate private profit for you or third parties unrelated to the business of the Practice or involves inappropriate material as described in the paragraph above is strictly prohibited.

5.4 EMAIL USE POLICY

5.4.1 General

The office email is a business tool and should be used in an appropriate manner as befitting the professional and business environment of a law practice.

The use of office email to transmit, share, disseminate or broadcast inappropriate material is prohibited. "Inappropriate material" is described in the section above.

Personal or social use of the email is governed by the paragraph on Personal Use of Practice's IT Systems above. You are hereby notified that copies of all emails are stored on the Practice's servers that are routinely accessed by the IT Department, and are therefore not necessarily private.

5.4.2 Potential Torts and Other Liability

The Practice is regarded as a publisher of messages delivered on the office email and you are reminded of the potential hazards of careless email messages that contain defamatory or other content that may open the Practice to liability. As legal privilege may not extend to all correspondence, you are strictly prohibited from making injurious or offensive remarks about your client, opponent, witnesses, legal counsel or any other party by email or other forms of communication.

5.4.3 Client Confidentiality

Where the email contains confidential information, you should obtain the prior informed consent of the client on the use of email as a means of delivery of the confidential information.

5.4.4 Signatures on Outgoing Emails

All outgoing emails must carry the prescribed outgoing email signature in Appendix 5B bearing the lawyer's name, the Practice's name, the lawyer's direct telephone and fax numbers, email address, website address, disclaimer and confidentiality warning.

5.4.5 Language in Email Communications

All outgoing emails must be written in polite formal language generally adopted for any other form of written communication when addressing a client or legal counsel. Informal or inappropriate communication through email may open the Practice to legal liability or risk of embarrassment. If in doubt, do not send anything by email that you would not be prepared to send on the Practice's letterhead.

5.4.6 No undertakings by Email

No undertakings may be given by email (except in wholly exceptional cases with due authorised by the Supervising Partner or Head of Department).

5.4.7 "Out of Office" Response

Facilities are available to divert your email to another recipient in the Practice (eg, your leave cover) while you are away for a period of time and unable to respond to incoming mail. You must inform the IT Department to set up the "out of office" response and activate the alternative response mechanism for the period you are away. A template of the "out of office" response is found in Appendix 5C.

5.4.8 Filing of Email Messages

A hard copy of every email message should also be printed and filed in the matter file. The policies and procedures relating to filing of matter work in this Manual applies to email as well as ordinary correspondence by fax and mail.

5.5 INTERNET USE POLICY

5.5.1 Acceptable Use

Access to the Internet is available on [every workstation / name the designated workstations].

Acceptable use of the Internet includes legal research, client or client industry research and access to online services described in the next paragraph. Personal or social use of the Internet is governed by the paragraph on Personal Use of Practice's IT Systems above.

"Inappropriate Use" in this instance shall also include visiting sites that contain pornographic or obscene material or contains racial, sexual or religious tones that does or could cause offence to any party.

5.5.2 Subscription to Online Service Providers

The Practice maintains an ongoing subscription to the following on-line services listed in Appendix 5D – “Subscriptions to Online Services”.

Only specified members of the Practice who have undergone training and who are responsible for conducting the specific searches / online filing have been given passwords to access these services. If you need to use any of the online services, make your request known to the person listed against the appropriate service in Appendix 5D and he / she will take you through the correct payment authorisation procedures (if any) and give you instructions on how to use the service.

Appendix 5A – Data Backup Policies

[NOTES:

1. This is prepared and signed off by the IT Manager / Head of IT Department.
2. It should contain details of the Practices’ data backup & recovery plan, including description of storage devices and how they operate.
3. It should also contain procedures for off-site storage in the event of fire or other damage.
4. As far as possible, data backup should be automated. However, this Policy should also prescribe individual roles and responsibilities for data backup within the Practice].

Appendix 5B – Outgoing Email Signature

All Outgoing Email must contain the following sign off and disclaimer:

[SAMPLE:

“Yours Sincerely,

[Author’s Name]

[Designation]

[DID of Author]

[NAME OF PRACTICE]

Advocates & Solicitors

[Address of Practice]

Tel: [telephone number]

Fax: [facsimile number]

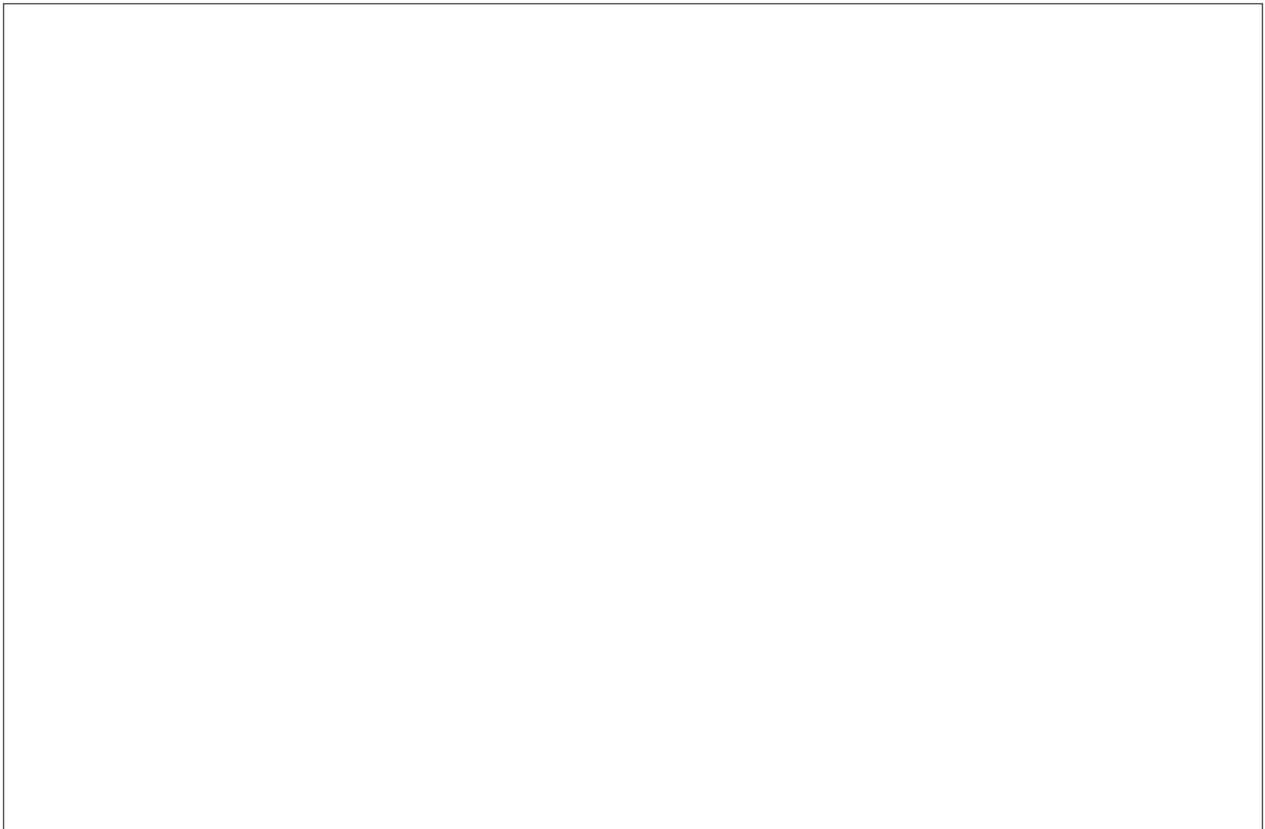
Email: [author’s email]

Privileged / Confidential Information may be contained in this message. If you have received this message in error please delete it and notify our office at +65 [tel no] immediately. You should not retain the message or disclose its contents to anyone. Opinions, conclusions and other information in this message that do not relate to the official business of the Practice shall be understood as neither given nor endorsed by it.

If you are going to be away for a period of time, please ensure that the following steps are taken in relation to your incoming email:

- a. Request the IT Department to set the following automated response;
- b. Redirect your mail to a designated leave cover (your secretary or colleague); and
- c. Inform the IT Department when you are expected to return so that the “Out of Office” response can be removed on the date of your return.

SAMPLE:



The Practice, at a substantial cost, maintains a legal reference library and provides access to online legal resources through subscriptions to various legal research providers.

These facilities are for common use and shared between all members of the Practice. Out of consideration to your colleagues and co-workers, please comply with the procedures that regulate the use of shared legal research resources.

To keep the Practice's legal research resources relevant and useful, all lawyers are strongly encouraged to contribute their precedents, research, articles and legal opinions to the Librarian.

6.1 LIBRARIAN

The Librarian is overall responsible for the management of the library and legal research resources. The Librarian reports directly to the Managing Partner. The duties of the Librarian in relation to the library / legal research resources are to:

- a. Take responsibility for all updates to the library materials and ensure that subscriptions to online legal resources are promptly renewed;
- b. Purchase new materials / subscriptions which have been approved by the Managing Partner;
- c. Ensure that the library catalogue is regularly updated and that no member of the Practice retains in his / her possession any library material for longer than the stipulated time; and
- d. Regularly publish on the Office Intranet / circulate to all lawyers in the Practice legal updates comprising changes in legislation and other relevant legal information.

6.2 LIBRARY CATALOGUE AND ONLINE LEGAL RESOURCES

The Librarian maintains and keeps up to date the following lists:

- a. Catalogue of all book titles and law reports;
- b. List of periodicals and journals;
- c. List of online legal resources to which the Practice has paid subscriptions; and
- d. List of legal research, opinions, precedents and articles contributed by lawyers in the Practice.

The catalogue is in electronic form and may be accessed from the Office Intranet or the workstation in the Library.

6.3 BORROWING LIBRARY MATERIAL

If you wish to take any publication out of the library, a record of its title, borrowing date and name of borrower must be recorded in the [index card / electronic register]. Any book or publication taken out of the library must be returned promptly and the borrowing record updated.

6.4 CIRCULATION LISTS FOR PERIODICALS / LEGAL UPDATES

Periodicals and legal updates are circulated to all lawyers in the Practice. You are requested to ensure that the periodicals on the circulation list are passed on within a reasonable time. If you would like to be included in the circulation list of any specific periodical, you may make your request known to the Librarian.

6.5 ACCESS TO ONLINE LEGAL RESOURCES

The Practice will issue you a password and user id to access the online legal resources to which the Practice has paid subscriptions. The procedures regulating the use of passwords issued by the Practice applies to these and must be strictly complied with. Sharing or disclosure of passwords or otherwise enabling access to online legal resources to unauthorised third parties who are not members of the Practice is strictly prohibited.

6.6 NEW ACQUISITIONS

You may make your request for the acquisition of new titles or publications to the Managing Partner by using the Library Acquisition Request Form in Appendix 6A. Your request will be considered by the Managing Partner in consultation with the Head of Department.

6.7 YOUR CONTRIBUTIONS

Lawyers should actively contribute to the Practice's knowledge base by:

- a. Contributing their opinions, precedents, research and articles to the Librarian who will profile, headnote and save them in the Practice's shared file server [or Intranet]. Each contribution should be accompanied by the Knowledge Base Contribution Form in Appendix 6B;
- b. Informing the Librarian of out of date materials in the library; and
- c. Proactively contributing feedback and suggestions for the improvement of the library and legal resource facilities in the Practice.

Appendix 6A – Library Acquisition Request Form

| | | |
|--------------|--|-------------|
| Claim by: | | Date: _____ |
| Designation: | | |
| Department: | | |

| | |
|---|---|
| Title of Publication: | |
| Author / Editor: | |
| Publisher: | |
| Reasons why it would be useful to the Practice: | |
| Retail / Subscription Price: | S\$ |
| Available in CD Rom / Online: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Signed: | |
| RESPONSE CONFIRMATION Request Approved: _____ (signed) Request Not Approved because: _____ | |

Appendix 6B – Knowledge Base Contribution Form

Claim by:

| |
|--|
| |
| |
| |

Date:

Designation:

Department:

| | | |
|---|--|--|
| Type of Contribution: | Opinion / Research Materials / Memorandum / Precedent / Article / Others _____ (please specify) | |
| Author: | _____ | |
| Date: | _____ | |
| Abstract: | _____ | |
| Keywords: | _____ | |
| If available in Softcopy, specify location of softcopy: | _____ | |
| Signed: | <table border="1" style="width: 100%;"><tr><td> </td></tr></table> | |
| | | |
| RESPONSE CONFIRMATION | | |
| Submission Accepted: | _____ (signed) | |
| Submission Not Accepted because: | _____ | |

The Practice has outsourced the maintenance of specific office equipment and arranged for legal support services to be provided by third party suppliers. The names, contact details and key service arrangements of these maintenance contracts are listed in Appendix 7A.

In the event of any services being required, the Manager in charge of the equipment / service should be informed and they will make the necessary contact with the outsourced supplier.

In the event of their absence, the supplier can be contacted directly.

Appendix 7A – Schedule of Outsourced Suppliers

| Maintenance Services | Provider | Contact Details | Personnel in Charge | Key Service Arrangements |
|-------------------------------------|----------|-----------------|---------------------|--------------------------|
| Photocopiers | | | | |
| Air-Conditioning | | | | |
| Electrical | | | | |
| Desktop PCs, Servers and IT Network | | | | |
| | | | | |
| | | | | |
| Other Services | | | | |
| Photocopying and Scanning | | | | |
| Book-keeping | | | | |
| Printing | | | | |
| Local Despatch | | | | |
| Courier Services | | | | |
| Housekeeping | | | | |
| | | | | |
| | | | | |

Sound financial management is key to the survival and success of the Practice. Proper financial planning, prudent cashflow management and the implementation of internal financial procedures and controls will result in lower risk, better cashflow and higher profitability.

The Practice has invested in [name of Practice Management System], an enterprise-wide Practice Management and Legal Accounting System (“PMS”) which will capture and store all financial transactions and provide real-time financial data and reports.

The PMS is the core system in the Practice which provides the the following functions:

- a. File opening;
- b. Maintenance of central index of clients and matters;
- c. Conflict searching;
- d. Monitoring number and type of matters assigned to each fee-earner;
- e. Time-recording;
- f. Invoicing;
- g. Disbursement tracking;
- h. Office and Clients’ Accounts management; and
- i. Recording key dates.

8.1 RESPONSIBILITY FOR FINANCIAL MANAGEMENT

8.1.1 Management Structure

Whilst all Partners / Directors have a responsibility for the financial management of the Practice, the Partner / Director that is designated as the Finance Manager has the direct responsibility for overseeing and managing the financial affairs of the Practice.

The Finance Manager works closely with the heads of department and the Accounts Department Staff to oversee the day-to-day and longer term financial affairs of the Practice.

The Finance Manager’s responsibilities include:

- a. Ensuring that sound internal financial controls and procedures are in place for all financial transactions;
- b. Overseeing the preparation of financial statements such as profit and loss statements, balance sheets and cashflow reports;
- c. Responsibility for budgets and cashflow forecasts and reviews;
- d. Implementing cash management and credit control strategies; and
- e. Overseeing the performance of the Accounts Department.

Individual lawyers are responsible for the financial management of their matters and are expected to comply with the Legal Profession (Solicitors’ Accounts Rules).

If you are unsure about about any aspect of financial management, especially in relation to client monies, please refer to the Finance Manager.

8.1.2 Accounts Department Personnel

The duties of of the Accounts Department personnel should be segregated so that the same individual does not have complete control over the management of funds.

The Accounts Department comprises [number] accounts personnel.

8.1.3 Practice Management System

The system administrator of the PMS is [] who is in charge of all system settings and configurations. All queries on the use of the PMS shall be re-directed to the system administrator.

The PMS is supported by a [] who provides updating, servicing and support services.

The backup System Administrator of the PMS is [].

The PMS should be backed up daily, with appropriate backups kept off-site in a safe place, in accordance with the Practice's data backup policies.

The PMS should be configured to ensure that access to accounting data is restricted to appropriate persons. No person should access the PMS until they have received hands-on training on the use of the PMS from the System Administrator.

8.2 INTERNAL FINANCIAL PROCEDURES AND CONTROLS

8.2.1 Monies Received

Most monies are received by cheque through the post. Monies received in the morning must be sent to the Accounts Department by [] pm to ensure they are credited to the Practice's bank account on that day. Monies received later in the day are to be passed as soon as possible to the Accounts Department, who will place the cheques in a locked drawer for overnight custody.

Where the monies received relate to a matter, the lawyer in charge of that matter or his / her secretary should use the Monies Received Form prescribed in Appendix 8A to advise the Accounts Department as to:

- a. The purpose of the payment;
- b. The name of the payer;
- c. Whether the monies are to be banked into the Client or Office Account; and
- d. Whether the interest shall belong to the client or not, in accordance with the Legal Profession (Deposit Interest) Rules, or by agreement with the client.

8.2.2 Receipt of Cash

Whenever cash is received by any member of the Practice, the member is responsible for ensuring that the cash is counted in the Client's presence, and taken directly to the Accounts Department for custody and appropriate action. Cash must never be left unattended. Cash must be counted in the client's presence, and a receipt shall be issued by the Accounts Department to the client.

8.2.3 Cheque Transit Register

Where the Practice received cheque payments which are drawn in favour of a third party, the payment should be recorded in a centralised cheque transit register which records details of such third party cheques.

8.2.4 Issue of Receipts

Receipts should be issued for all monies received to provide client with proof of payment and also, where monies are to be paid into Clients' Accounts, as a means to prevent funds from being inadvertently or otherwise re-directed to another Clients' Account.

Only personnel of the Accounts Department are authorised to issue formal receipts on behalf of the Practice for cash or cheques.

Numerical sequence of receipts should be checked once a month to ensure that all funds receipted are also recorded in accounting records and deposited in the bank.

8.2.5 Payment Requisitions

Save for GIRO payments, the initiation of all payments, whether by cheque, cash, electronic transfer or otherwise shall be by way of a duly completed and signed Payment Requisition, in the format set out in Appendix 8B.

The client name, matter number, bank account from which the payment is to be made (for Clients' Accounts payments only), mode of payment, payee and brief details of the reason for the cheque must be supplied in the form.

The Payment Requisitions shall be signed by a lawyer. The signatory shall not be the same person receiving the payment. With respect to payment from Clients' Accounts, signatories are under an obligation to satisfy themselves that the payment from the client's account is in order and is permitted under the Legal Profession (Solicitors' Accounts) Rules.

Wherever possible and where applicable, the Payment Requisition shall be accompanied by an original invoice. Upon payment, the original invoice should be stamped "paid" to prevent an individual from using an invoice more than once to obtain funds.

Where payment is to a member of the Practice, the member shall acknowledge receipt of the same by signing in the "Received By" portion in the Payment Requisition.

Where the payment is to be made from the Clients' Accounts, the lawyer in charge of the matter is responsible for ensuring that there are sufficient funds in the Clients' Accounts before signing the Payment Requisition Form. Before preparing the cheque or arranging for the payment to be made, the Accounts Department, should also check that there are sufficient funds in the Clients' Accounts.

8.2.6 Cheque Preparation

Cheques are written daily by the Accounts Department before [time]. If a cheque is required urgently it can be prepared earlier by the Accounts Department on special request; but this should be done only in exceptional circumstances and not as a matter of course.

8.2.7 Signing of Cheques

Office Account cheques exceeding [S\$] require 2 Partners' / Directors' signatures.

All Clients' Accounts cheques exceeding [S\$] require 2 Partners' / Directors' signatures.

Cheques should never be signed in blank and should not be cash or to bearer.

Cheques should be in running order and the Accounts Department should check the sequence of cheques issued when they undertake the bank reconciliation.

8.2.8 Amendments to Cheques

No cheque, whether drawn on Clients' Accounts or Office Account, should be amended in any way without reference to the signatories and the Accounts Department. If the amount of a cheque should be altered, then the cheque must be returned to the Accounts Department so that the related accounting transactions can be altered or the cheque re-issued.

8.2.9 GIRO Payments

In cases of GIRO payments, it is usually impractical for the GIRO payments to be preceded by a Payment Requisition, as the payment is incurred at the time of the transactions (eg, Electronic Filing) and the amount is only known during or after the filing. For such GIRO transaction, the Payment Requisition should be prepared and signed after the GIRO payment has been effected and passed to the Accounts Department on the same day.

GIRO payments should not be linked to Clients' Accounts.

8.2.10 General Expenses

General expenses which are not disbursements incurred in a matter should only be authorised by a Partner.

8.2.11 Petty Cash

All petty cash transactions shall be controlled by the Accounts Department. The accounts shall record all petty cash transactions in the PMS. The petty cash shall be controlled by one designated person in the Accounts Department, and kept in a locked drawer. The petty cash float shall not at any time exceed [S\$] and should be topped up when it falls below [S\$].

8.2.12 Invoicing

Invoices are generated by the lawyer or his / her secretary through the PMS. The PMS will generate invoices using the Practice's prescribed format. Disbursements and time entries which are already input into the PMS can be automatically flagged into the Invoice without additional re-typing. Invoices have to be approved and signed by the Partner / Director in charge of that matter.

The Invoice should be prepared by the lawyer with reference to an invoicing guide generated by the PMS or the Accounts Department which shows the time spent on the matter (if applicable), the amount billed and outstanding on the matter to date, details of the unbilled time entries and disbursements.

The lawyer shall arrange for the despatch of the original invoice to the client, and a copy of the original signed invoice to the Accounts Department.

The Accounts Department will ensure that all outstanding disbursements incurred on the matter have been incorporated into the invoice and that the GST treatment of the disbursement items are in order before posting the invoice into the ledger.

No discounts on fees are to be agreed by lawyers without the authority of the Partner handling the matter.

8.2.13 Write-Offs

Writing off of any outstanding invoices can only be authorised by the Partners / Directors in Appendix [].

8.2.14 Investigation and Clearance of Ledger Queries

Inevitably from time to time, you may have queries on Client Ledger accounts. Whilst the Accounts Department will afford all possible help, you should first carry out your own investigation to clear the query.

8.2.15 Posting into Ledgers

All financial transactions, including receipt of money, payment of money, and debtor and creditor invoices shall be posted into the PMS as soon as possible so that the information in the PMS is as updated as possible.

Unless otherwise notified, the Accounts Department will make an assumption that all prepared cheques and invoices will be issued as soon as the transaction has been duly authorised, and will effect the ledger posting accordingly.

If the issuance of the cheque or invoice is delayed, you shall be under an obligation to inform the Accounts Department accordingly.

8.2.16 Bank Reconciliation

The monthly reconciliation of each client's bank account shall be completed not later than [7] days from the date of receipt of the monthly bank statement.

The monthly reconciliation of each office bank account shall be reconciled not later than [10] days from the date of receipt of the monthly bank statement.

The petty cash account shall be reconciled not later than the [10th] day of each month.

The monthly reconciliations and adjustments should be reviewed and signed off. The reviewer should not be the person who signed and prepared the reconciliation.

8.2.17 Internet Banking

The Practice has Internet banking facilities. The login and password details to access the Internet banking facility shall be controlled by the Finance Manager who shall also be responsible for monitoring the flow of funds via the Internet banking facility daily. No banking transaction shall be effected over the Internet.

8.2.18 Documentation

The Accounts Department shall maintain proper and complete documentation of each financial transaction, including:

- a. All Payment Requisitions, supporting invoices and other documentation;
- b. All debtor and creditor invoices;
- c. All bank-in slips, telegraphic transfers, and bank statements;
- d. All Clients' Accounts transfer requisitions; and
- e. All memos of journal entries/adjustments.

The Accounts Department shall file all documents in an orderly fashion.

Financial records shall be maintained for such length of time as shall be prescribed by the Law Society or under the relevant legislation.

8.2.19 Budgeting and Cashflow Projections

The Practice's financial year end is [].

The Practice has implemented a system of profit centre accounting which produces detailed profit and loss statements for each professional department, with support and overhead costs being allocated to the various professional departments.

The prime responsibility for developing and meeting the monthly income and expenditure budgets shall be the responsibility of each Head of Department. Each Head of Department shall have the authority to take the necessary actions to affect the income and expenses for which they are held accountable.

For budgeting purposes, wherever possible, the estimated value of the matter should be input into the PMS at the file opening stage. This information is important for keeping track of new orders that have not been billed and to provide a forecast of the amount of work in the pipeline.

The Accounts Department shall assist the Finance Partner to develop and be responsible for a monthly cashflow forecast, based on the departmental budgets and taking into account the timing of the cash expenditures and collection cycles.

The Accounts Department shall generate a quarterly report of the variances between the actual and budgeted income and expenditure and the actual and budgeted cashflow.

The variances shall be analysed by the Finance Manager working with the respective Head of Department, and the Head of Department shall be responsible for recommending adjustments to his / her department budget.

8.3 TIME-RECORDING

Lawyers are required to keep records of the time spent on each matter, except for matters which are on a fixed-fee basis. Time records are useful for the following reasons:

- a. They help the Practice to ascertain the cost and profitability of matters and the performance of lawyers;
- b. Time spent on a matter is a key factor to be considered in invoicing;
- c. Clients may require a breakdown of the work done on a particular matter; and
- d. Fee earners constantly underestimate the time that they spend on a matter.

Lawyers handling matters which are fixed-fee and process-driven, such as conveyancing, debt recovery, accident claims should record time on a sample basis to ascertain the average amount of time and costs for such matters.

8.3.1 Time-Recording System

Lawyers should record all time, billable and non-billable, spent on each client file or matter in the PMS. The PMS computes the total time expended on the matter by each fee-earner and produces relevant reports which assists in the management of the Practice.

8.3.2 Time-Recording Procedures

Time is recorded in six minute units, and rounded up to the next nearest unit. Eg: 7 minutes = 2 units

Time entries should be recorded as soon after the activity is done.

Time entries cannot be back dated more than 6 days from the date of the activity.

Time on non-matter related activities such as business development, marketing, attending seminars, writing papers should also be recorded in the PMS as non-billable work.

8.4 CREDIT MANAGEMENT

Credit Management refers to the control and management of cash flow. Procedures are prescribed to ensure that disbursements and work in progress are billed on a regular basis, that effective debt collection procedures are in place to reduce the debt collection cycle, and that amounts are transferred from the Clients' Accounts to the Office Account without undue delay.

8.4.1 Credit Collection Procedure

The Finance Manager is responsible for overseeing the credit collection process, and is assisted by the Accounts Department.

The Practices credit control procedures are based upon the following main principles:

- a. Wherever possible, money on account should be obtained from the client in respect of fees and disbursements;
- b. Wherever possible and subject to obtaining the client's consent, interim invoices should be raised at least every [2] months. Smaller regular invoices are less likely to be subject to non-payment;
- c. Lawyers remain closely involved in the credit control process notwithstanding any action taken by others such as the Accounts Department Staff. A matter is not completed until the invoice has been paid;
- d. There will be a process of escalating severity finalising in possible court proceedings being taken against the client; and
- e. The credit control procedures will automatically be activated for all outstanding client invoices save for (i) conveyancing and other similar type matters whereby the invoice is always paid at the time of completion and (ii) exceptional circumstances where a Partner intervenes to prevent some or all of the procedures from taking place.

The credit collection procedure is as follows and has been pre-programmed into the PMS as follows:

- a. Unless otherwise notified by the Partner responsible for the matter, the Practice applies a 14-day payment policy to all debtor invoices; the following procedures shall take effect after the invoice becomes due and payable (ie after the 14 days);
- b. Stage 1: [7] days overdue – Statement of account to be generated and sent by Accounts Department;
- c. Stage 2: [14] days overdue – Reminder statement to be generated and sent by the Accounts Department;
- d. Stage 3: [21] days overdue – Accounts Department contacts client to enquire about the status of the payment;
- e. Stage 4: [28] days overdue – Accounts Department liaises with the responsible lawyer; the Partner shall advise the action to be taken. The Partner may wish to take the matter up directly with the client but shall advise the Accounts Department accordingly;
- f. Stage 5: [2 months overdue] – Finance Manager issues letter threatening court proceedings; and
- g. Stage 6: After 3 months, if payment or alternative payment arrangements have still not been made, court proceedings will commence against the client on the authority of the [Managing Partner].

All credit collections activities and agreed payment arrangements shall be recorded by the Accounts Department against the matter.

The Accounts Department shall generate before the [5th day] of each month, an aged list of debtors report by lawyer, which shall be circulated to the lawyer responsible for the matter for their review.

The Accounts Department shall be responsible for monitoring debt collection procedures above and reporting the same to the Finance Manager.

8.4.2 Client Balances Report

The Accounts Department shall generate a client balances report with the following information:

- a. Matter number, Client name, matter description, matter type;
- b. Balances on Clients' Accounts and Office Account;
- c. Balance of unbilled disbursement;
- d. Balance of outstanding debtor invoices; and
- e. Balance of work in progress.

The report shall be distributed to the lawyer responsible for the matter.

The lawyer will review the report against their matters within [7] days of receipt of the report, and take the necessary action to:

- a. Effect any outstanding client to office transfers;
- b. Clear any remaining small accounts balances on finished matters; and
- c. Archive files on finished matters.

8.4.3 Managing Creditors and Suppliers

All creditors and suppliers invoices should be recorded in the PMS as a creditor's invoice as soon as they are received, regardless of when they are intended to be paid.

If the creditor invoice relates to a disbursement that is payable by the client, the creditor invoice should be paid when the client has paid the same to the Practice.

8.5 MANAGEMENT OF CLIENTS' ACCOUNTS

8.5.1 Familiarity with the Governing Rules

The Finance Manager shall ensure that that all staff handling Clients' Accounts monies, lawyers and personnel in the Accounts Department are well versed and comply with the requirements of the Solicitors' Accounts Rules, Deposit Interest Rules and Solicitors' Trust Account Rules.

All payments into and from the Clients' Accounts shall be in accordance with the prescribed Financial Internal Procedures and Controls prescribed in Paragraph 8.2 above.

In addition, the procedures below relating to Clients' Accounts shall also be complied with.

8.5.2 Access to Clients' Accounts Balances information

Information relating to the Clients' Accounts balances should be made available to all lawyers and staff through the PMS.

8.5.3 Transfer of Monies from Clients' Accounts

A Transfer Requisition Form set out in Appendix 8C signed by a lawyer is required to initiate the transfer of any monies from the Clients' Accounts to the Office Account. The lawyer should not sign the transfer requisition unless the withdrawal is one that is permitted under the Legal Profession (Solicitors' Accounts) Rules.

The transfer of monies from Clients' Accounts to Office Account for payment of invoices and disbursements shall be authorised by the Finance Manager signing a Transfer Authorisation Form set out in Appendix 8D and shall be carried out once a week.

The transfer authorisation should be accompanied by a schedule listing all the individual amounts which the transfer relates to and shall be signed by the Finance Manager.

8.5.4 Review of Clients' Accounts Balances

All balances in the Clients' Accounts shall be reviewed before the matter is closed or archived.

The Accounts Department shall conduct a periodic review of all matters whereby the Clients' Accounts balances have not changed within the last 12 months, and shall recommend to the Finance Manager the necessary action to be taken.

A statement of each Client's Account balances should be generated and sent to the respective client every 12 months.

In the event that a Client's Account is discovered to be inadvertently overdrawn, the Accounts Department shall inform the Finance Manager immediately, and the Finance Manager shall, after discussion with the responsible lawyer, take such necessary action as shall be required to rectify the breach.

8.6 MANAGEMENT REPORTING

The PMS is capable of producing an extensive range of management reports, including reports relating to Clients' Accounts, Office Accounts and performance by lawyer / department and the Practice as a whole.

The Finance Manager shall prepare a monthly report on the Practice's financial performance based on a review of the management reports mentioned below.

8.6.1 Monthly Reports

The following main reports are produced monthly by the Accounts Department for review by the Finance Manager:

- a. Fees rendered by Lawyer / Department / Category of work;
- b. Cash Received per Lawyer;
- c. Hours Billed or Written Off per Lawyer;
- d. Hours Recorded per Lawyer;
- e. Hours Billed or Written Off per category of work;
- f. Hours Recorded per category of work;
- g. Budget Variance Reports;
- h. Client Debtor Reports per Lawyer;
- i. Monthly Report on Accounts Receivables;
- j. Monthly Report on Aged List of Debtors;
- k. Monthly Report on Outstanding Creditors;
- l. Monthly Profit and Loss by Department and for the Practice;
- m. Monthly Balance Sheet for the Practice
- n. Monthly Cashflow Statement by Department and for the Practice;
- o. New matters opened by Lawyer / Department / Category of Work; and
- p. Estimated value of new matters opened during the month.

8.6.2 Quarterly Reports

The following main reports shall be produced quarterly by the Accounts Department for review by the Finance Manager:

- a. Quarterly variance analysis of income and expenditure against budget;
- b. Quarterly variance analysis of cash flow; and
- c. GST reports.

8.6.3 Annual Reports

The following main reports are produced annually by the Accounts Department for review by the Finance Manager:

- a. Annual profit and loss statements;
- b. Annual balance sheet;
- c. Annual cashflow statement;
- d. Estimated value of confirmed orders; and
- e. All schedules which are required to be prepared to enable the auditor to carry out the audit of the office and Clients' Accounts.

It is important for the Practice to get an idea of the work in progress at the end of each financial year. At the end of each year, the Finance Manager shall provide to each lawyer a Work in Progress List ("WIP List") list of the active files (ie, files which have not been closed) which they are responsible for, and which shows the estimated value of the matter (as previously informed by the lawyer during the file opening process), the fees billed to date and the work in progress (unbilled time units and time value), for the lawyer's review.

The lawyer shall advise as to (i) the value of unbilled time which they expect will be billed; and (ii) the value of unbilled time which they expect to be written down by completing the information against the matter in the WIP List.

PRIMELAW CHAMBERS LLP
 Advocates & Solicitors | Commissioner for Oaths

MONIES RECEIVED

| RECEIVED FROM: | CHEQUE: | AMOUNT: | DATE: _____ PAYMENT FOR: |
|----------------|---------|---------|-----------------------------|
| 1. _____ | _____ | _____ | _____ |
| 2. _____ | _____ | _____ | _____ |
| 3. _____ | _____ | _____ | _____ |
| 4. _____ | _____ | _____ | _____ |
| 5. _____ | _____ | _____ | _____ |

SUBMITTED BY: CHECKED BY:

Appendix 8B – Payment Requisition Form

PRIMELAW CHAMBERS LLP
 Advocates & Solicitors | Commissioner for Oaths

PAYMENT VOUCHER

Voucher No: _____

Date: _____

| | | |
|--------------------------------|-------|-------|
| PAY TO: | | |
| _____ | _____ | _____ |
| ITEM DESCRIPTION / PAYMENT FOR | S\$ | ¢ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| CHEQUE NO: | _____ | _____ |
| _____ | _____ | _____ |

APPROVED BY:

RECEIVED BY:

Appendix 8C – Transfer Requisition Form

PRIMELAW CHAMBERS LLP

Advocates & Solicitors | Commissioner for Oaths

TRANSFER AUTHORISATION

| | | | |
|------------------------------------|--------------|----------------------------------|----------------------|
| | | | DATE: _____ |
| MATTER REFERENCE: | CLIENT NAME: | AMOUNT: | REASON FOR TRANSFER: |
| 1. _____ | _____ | S\$ _____ | _____ |
| 2. _____ | _____ | S\$ _____ | _____ |
| 3. _____ | _____ | S\$ _____ | _____ |
| 4. _____ | _____ | S\$ _____ | _____ |
| 5. _____ | _____ | S\$ _____ | _____ |
| SUBMITTED BY: <input type="text"/> | | CHECKED BY: <input type="text"/> | |

Appendix 8D – Transfer Authorisation Form

PRIMELAW CHAMBERS LLP

Advocates & Solicitors | Commissioner for Oaths

TRANSFER TO OFFICE A/C AUTHORISATION FORM

Voucher No: _____

Date: _____

| | | |
|--------------------------------|-------|-------|
| MATTER REF: | | |
| CLIENT NAME: | | |
| ITEM DESCRIPTION / PAYMENT FOR | S\$ | ¢ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| CHEQUE NO: | _____ | _____ |
| _____ | _____ | _____ |

APPROVED BY:

RECEIVED BY:

9.1 OPERATIONAL RISK MANAGEMENT

It is the policy of the Practice to recognise the importance of effective risk management at the operational level. Risk management at this level concerns the minimisation of our risks of errors in our advice and services to clients.

The Practice's Risk Manager is ____ who is assisted in this role by the Heads of Departments.

9.2 ANNUAL RISK AUDIT

The Risk Manager will conduct an annual risk audit. The objective of the audit is to analyse trends in the risk profile of the Practice and to determine improvements which are deemed appropriate. The audit will review generic risks and acceptable risk levels for the Practice.

Following each risk audit, these actions might be taken:

- a. Revising existing procedures or implementing new procedures in the Practice; or
- b. Designing and implementing additional training for groups or individuals.

The Risk Manager must be notified of all circumstances which could give rise to a claim in negligence or a complaint.

9.3 GENERIC RISKS

The Practice recognises that there are generic risks associated with the type of work it carries out. The main generic risks are identified as:

- a. Time Limits;
- b. Delay;
- c. Legal Knowledge and Expertise;
- d. Communicating With Clients;
- e. Communicating Within The Practice;
- f. Communicating With Other Professionals;
- g. Delegation;
- h. Supervision and Consultation;
- i. Money-laundering and other Illegal Activities of Clients; and
- j. Undertakings.

Many of the processes set out in this Manual are designed to minimise the generic risks associated with the work carried out by the Practice.

9.4 GENERALLY ACCEPTABLE CATEGORIES OF WORK

The Practice recognises that there are categories of work which are likely to fall within acceptable risk levels. The Practice will generally accept instructions for these types of work unless there is deemed to be good reason for not undertaking the particular matter.

Types of work that fall into the the "generally acceptable" category are:

[List types of work]

9.5 GENERALLY UNACCEPTABLE CATEGORIES OF WORK

The Practice recognises that there are categories of work that fall outside acceptable risk levels. There may, however, be good reason for undertaking the work. In such cases, the Practice must take appropriate measures to minimize its exposure to risk.

Types of work which fall into the "generally unacceptable" category are:

[List types of work undertaken]

9.6 REPORTING RISK

The level of risk presented by every file needs to be considered by the fee earner. Risk monitoring is a continuous activity and the collective responsibility of all fee-earners.

9.6.1 Before

If a fee earner believes that the Practice will be exposed to an unusual degree of risk in acting in a matter of that a particular case falls outside acceptable risk levels, the matter must be brought to the attention of his or her Supervising Partner / Head of Department.

If the matter is referred to the Supervising Partner, the Supervising Partner shall refer the matter to the Head of Department if he or she has any doubts as to whether or not to act in the case or where the Supervising Partner feels that the Practice should discontinue acting in the case. Reference is made to Paragraph 11.2.

If it is decided that the Practice should not accept the case, the Practice must notify the potential Client of its decision immediately in writing, giving reasons for the Practice's non-acceptance and, where possible, advice on whom the client should approach for assistance.

If it is decided that the Practice should take the case, additional safeguards should be considered and agreed at the outset.

9.6.2 During

The risk profile of a matter could change at any time during the conduct of the matter. If the fee-earner takes the view that the risk exposure for a certain matter has become unusually high, he or she should raise this with the Supervising Partner / Head of Department as soon as possible.

If the matter is referred to the Supervising Partner, the Supervising Partner shall refer the matter to the Head of Department if he or she has any doubts as to whether or not to continue with the case or where the Supervising Partner feels that the Practice should discontinue acting in the case. Reference is made to Paragraph 11.6.

Any change in circumstances that affects the client should be raised with the client as soon as possible. If the change in circumstances calls into question the accuracy or appropriateness of the advice to date, then a risk notice should be completed and forwarded to the Risk Manager without delay.

9.6.3 After

At the conclusion of every matter there should be a concluding risk assessment. This is noted on the file closure sheet. If it is considered that the Practice should have done better for a client and that they could fairly complain about the service provided or make a claim, the fee earner must complete a risk notice and forward it to the Risk Manager. The Risk Notice Form is attached as Appendix 9A.

9.7 MONEY LAUNDERING RISKS

All members of the Practice must be conscious of and protect against the possibility of illegal money-laundering activities related to any new instruction by taking the following steps.

9.7.1

All members of the Practice must acquaint themselves thoroughly with the anti money-laundering laws and regulations (“AML Rules”) cited below and the consequences of non-compliance with the same:

- a. Law Society’s Practice Direction “Prevention of Money Laundering and the Funding of Terrorist Activities” dated 15 January 2008 (“the PD”);
- b. Rules 11D to 11H of the Legal Profession (Professional Conduct) Rules;
- c. Corruption, Drug Trafficking and Other Serious Crimes (confiscation of Benefits) Act (Cap 65A); and
- d. Terrorism (Suppression of Financing) Act (Cap 325).

9.7.2

All members must comply with the “Know Your Client” regime, involving the verification of the identity of your client and being alert to suspicious circumstances suggesting the possibility of money-laundering activities. In particular, all members must complete the Practice’s “Know Your Client and Client Due Diligence Checklist” (“AML Checklist”) attached as Appendix 9A for all ongoing and new instructions.

9.7.3

The AML Checklist must be signed by the Partner responsible PRIOR TO the acceptance of any new instruction from an existing or new client. The completed and signed AML Checklist, together with relevant File Notes, must be filed in the Centralised Matter Records; and a copy filed in the relevant Matter File.

9.7.4

If you form a suspicion that money laundering is involved in any matter on which you are instructed, you must report this using the “Suspicious Transactions Reporting Form” attached as Appendix 9B. A non-exhaustive list of what constitutes suspicious circumstances is set out in Section P of the PD.

Know your client (“KYC”) procedures are mandated by the Legal Profession (Professional Conduct) Rules (“Rules”) as they assist lawyers to identify high risk clients and transactions in order to avoid inadvertently committing a money laundering offence.

Under Rule 11I of the Rules, the Council of the Law Society is empowered to and does conduct inspections of law practices in order to ascertain whether Rules 11D to 11H are being complied with.

To assist lawyers to comply with the KYC procedures under Rules 11D to 11H of the Rules and the Council’s Practice Direction 1 of 2008 on Anti-Money Laundering and Terrorism Financing (“PD”), the Law Society has prepared a sample KYC checklist which lawyers may adapt for their use as necessary. Following a KYC checklist would help lawyers to identify unusual or suspicious behavior, including false identities, unusual transactions, changing behaviour or other indicators of money laundering. Lawyers have a duty to report suspicious transactions under Rule 11G of the Rules. Non-compliance with KYC procedures also renders a lawyer liable to disciplinary proceedings.

Finally, lawyers are reminded that they are required to keep client verification documents and records for a period of 5 years under Rule 11H of the Rules. Implementing a KYC checklist would assist lawyers in organizing these documents and records.

Summary of the KYC Checklist

Section A – Existing client

Where the client is an existing client who has been in regular contact with the Practice for the last 5 years, the client may either be:

- (a) a Category A client who provided formal identification to the Practice on first contact; or
- (b) a Category B client who did not provide formal identification on initial contact but the proprietor or partner or director of the law practice can waive the full KYC check subject to a risk assessment of the client.

For details, see paragraphs 39 to 42 of the PD.

Section B – Waiver for famous client

If the client does not fall within section A, the next step is to consider whether the client is an individual who is nationally or internationally known. In such a case, client identity documents are not required if the lawyer/law practice is satisfied on reasonable grounds that an individual is nationally or internationally known. A record of identification must however include a file note of the lawyer’s or the law practice’s satisfaction about the individual’s identity and address: see paragraph 36 of the PD.

Section C – Matters referred by instructing counsel

When a law practice is instructed by another professional advisor, the lawyer would not have any right of direct contact with the client. If the professional advisor has agreed to pay the fees of the law practice and does not instruct the Practice to act in one of 5 types of matters described in Rule 11F(1) (see paragraphs 57 to 65 of the PD), the lawyer need not conduct the full KYC check for the client but would need to conduct a due diligence check of the professional advisor. Please also refer to paragraph 24 of the PD.

Section D – For new clients who are natural persons

For new clients who are natural persons, a risk based approach can be used to determine the nature and extent of the information required to establish client identity: see paragraphs 25 and 26 of the PD.

In determining the client's risk profile, the type of client and the type of transaction undertaken are relevant factors.

For low risk clients, a simplified approach may be taken and the identification documents required for simplified client verification for different types of individuals are set out in the "Notes" portion of Section D for easy reference. A non-exhaustive list of the types of clients who, and transactions which, qualify for simplified due diligence is also set out in the "Notes" portion after Section H in the KYC checklist.

For high risk clients, enhanced due diligence checks must be conducted. The PD does not prescribe the enhanced due diligence checks to be carried out but some guidance is provided at paragraph 43 of the PD. High risk clients include Politically Exposed Persons and dubious clients: see paragraphs 44 and 54 of the PD. High risk transactions include the 5 types of transactions set out in Rule 11F of the Rules, receipt of cash of more than S\$100,000 to the client account (see paragraph 70 of the PD) and red flag transactions (see paragraph 83 of the PD).

Section E – For new clients which are corporate entities or unincorporated bodies

The same risk based approach and the factors in determining the client's risk profile are applicable to new clients which are corporate entities or unincorporated bodies.

For simplified client verification, the identification documents required for different types of corporate entities or unincorporated bodies are set out in the "Notes" portion of Section E for easy reference. For high risk clients, enhanced due diligence checks must be conducted under paragraph 43 of the PD, such as obtaining details of ownership and control structure of corporations.

Section F – Reliance on third party intermediaries

A law practice may rely on a third party/intermediary (for example, other legal professionals, auditors or financial institutions) to carry out a client identity check if the 4 requirements set out in the PD are met. Refer to paragraphs 19 to 21 of the PD for details.

Section G – Enhanced due diligence for high risk clients

For high risk clients in Section D or E, the additional information obtained about such clients as part of enhanced due diligence checks must be set out in Section G.

In addition, the lawyer or law practice is required to conduct on-going checks for high risk clients.

Section H - Approvals

Section H sets out the various approvals required within the law practice upon completion of the KYC checklist.

[NAME OF LAW FIRM]

Client Due Diligence Checklist (“KYC Checklist”)

| | | | |
|-----------------|--|-----------------|--|
| MATTER NO.: | | DATE OF RECORD: | |
| NAME OF CLIENT: | | FILED BY: | |
| SUBJECT MATTER: | | | |

This Checklist is designed to assist a Practice in its compliance with the Legal Profession (Professional Conduct) Rules and the Council’s Practice Direction 1 of 2008 on Anti Money Laundering and Terrorism Financing.

Certain sections in this Checklist require the signatures from the Lawyer / Partner / Director / Proprietor of the Practice. Practice shall keep a records of all Client Due Diligence documentation for a period of at least 5 years.

SECTION A – EXISTING CLIENT

Is the Client an existing client who has been in regular contact with the Practice for the last 5 years? *(Note: Existing clients who have not been in contact with the Practice for last 5 years or more do not qualify for identity waivers.)*

Yes Proceed to
complete Identity
Waiver belowNo Proceed to
Sections B, C, D
or E**IDENTITY WAIVER FOR EXISTING CLIENT**

The Client has been a regular client of the Practice for the last 5 years, since _____ [year], **and**

 Category A Clients

Formal identification was provided to the Practice on first contact and I am satisfied the identification documents are adequate; or

 Category B Clients

No identification was provided on the initial contact but I have known the Client who was introduced to me by _____ since _____; and I can confirm that the Client data given in Section D and / or Section E is accurate;

I am satisfied that the risk of money laundering and terrorist financing is low and I propose that the file be opened and instructions accepted.

Signed by:

Approved by Partner / Director / Sole
Proprietor *(for Category B clients only)*:_____
Name and Signature of Engagement Lawyer_____
Name and Signature

SECTION B: WAIVER FOR FAMOUS CLIENT

Client identity documents are not required if the law practice is satisfied on reasonable grounds that an individual is nationally or internationally known.

Though I have not seen the identity documents of the Client, I am satisfied with the identity of the Client and his / her address as he / she is nationally / internationally known.

Name and Signature of Engagement Lawyer

SECTION C: MATTERS REFERRED BY INSTRUCTING COUNSEL

Name of Counsel:

Name of Law Practice:

Address:

Counsel undertakes to pay fees and transaction is not one of 5 types of transactions as defined in Rule 11F:

Yes

Client due diligence may be waived for end client. Identification of Counsel must be conducted.

No

Proceed to complete Section D or E

SECTION D: FOR NEW CLIENTS WHO ARE NATURAL PERSONS**Particulars of Individual / Partner / Trustee 1**

Name:

Sex: Male / Female **(Delete Where Applicable)*

Address:

Date of Birth:

Passport / NRIC No.: **(Delete Where Applicable)*

Nationality:

Occupation:

Particulars of Individual / Partner / Trustee 2

Name:

Sex: Male / Female **(Delete Where Applicable)*

Address:

Date of Birth:

Passport / NRIC No.: **(Delete Where Applicable)*

Nationality:

Occupation:

| PARTICULARS OF AGENTS / ATTORNEYS | |
|---|--|
| Name: | Sex: Male / Female <i>*(Delete Where Applicable)</i> |
| Address: | |
| Date of Birth: | Passport / NRIC No.: <i>*(Delete Where Applicable)</i> |
| Nationality: | Occupation: |
| <input type="checkbox"/> The Agent / Attorney has been duly appointed and I have verified the documentation for such appointment <input type="checkbox"/> The Agent / Attorney is acting within the ambit of his authority. <input type="checkbox"/> I am duly authorized to deal with / disclose information to the Agent / Attorney | |
| The information below must be provided in respect of all Clients / Principals and considered in relation to their relationships with the agent / attorney / advisor. | |
| Type of Client(s): | <input type="checkbox"/> PEPs (see paras 44 – 53) <input type="checkbox"/> Dubious Client (see para 54) |
| Type of Business Relationship(s): | |
| Nature and Purpose of Transaction: | <input type="checkbox"/> 5 Transactions (see para 55 – 66) <input type="checkbox"/> Red Flag (see para 83 – 87) <input type="checkbox"/> ≥S\$100,000 in cash is received (see para 78 – 81) |
| Risk Profile: (taking into account the above information and stating reasons for the risk grading) | <input type="checkbox"/> Low Risk <i>(Simplified Due Diligence)</i> <input type="checkbox"/> High Risk – Complete Section G <i>(Enhanced Due Diligence)</i> |

Notes: Identification documents

- (i) Identification documents should be current and not expired.
- (ii) **Partnership**
Identification documents are required for the instructing partner and one other partner. ACRA search results for registered address is sufficient, (PD, Part E, para 36(3)).
- (iii) **Limited Liability Partnerships**
Identification documents are required for the instructing partner. ACRA search results for registered address is sufficient, (PD, Part E, para 36(3)).
- (iv) **Foreign Registered Partnerships and Limited Liability Partnerships**
Identification documents are required for the instructing partner and one other partner. Firm's trading address is required, (PD, Part E, para 36(3)).
- (v) Identification of **Other Foreign Entities** such as corporations / partnerships may be verified independently by another professional if there is no regulatory body similar to ACRA, (PD, Part E, para 36(3)).
- (vi) **Trusts**
Identity of each trustee and beneficiary and nature of trust should be determined, (PD, Part E, para 36(4) and para 34(c)).
- (vii) **Power of Attorneys**
Both principal and attorney must be identified. Reasons for power of attorney being given should be ascertained. Practice should not act if reasons are not satisfactory.
- (viii) **Estates**
Death certificate together with original will or certified true copy of will (if any) must be sighted. Identity documents of executors or administrators of the deceased estate must be obtained together with original or certified true copy of the letters of administration or probate.
- (ix) **Agents / Client Advisers**
Identification documents are required for each of the agents / client advisers and the principal clients (i.e. beneficial owners) and the agents / client advisers must have due authority to act, (Part C, para 22).

| | | |
|---|--------------------------|---|
| Documents obtained from client / agent / adviser (where these are copies, originals have been sighted): | | Rule 11D of the Legal Profession (Professional Conduct) Rules provides that the identity of a client must be verified before accepting instructions on any matter. |
| Passport / Identity Card | <input type="checkbox"/> | Where any of the client identification documents are not available and waiver (see Sections A, B and C) is inapplicable, lawyer may commence work provided that due approval is obtained, there is no / little risk of money laundering or terrorist financing and client verification is completed promptly thereafter, (Para 38). |
| Details of Principals / Beneficial Owners <i>(where applicable)</i> | <input type="checkbox"/> | |
| Proof of Address | <input type="checkbox"/> | |
| Source of Funds <i>(where applicable)</i> | <input type="checkbox"/> | |
| Others | <input type="checkbox"/> | |
| | | Approved by: _____ Name and Signature of Senior Management |

SECTION E: FOR NEW CLIENTS WHO ARE CORPORATE ENTITIES OR UNINCORPORATED BODIES

| | |
|--|---|
| Name: | |
| Country of Incorporation / Constitution: | Type of Entity: <input type="checkbox"/> Corporation <input type="checkbox"/> Society <input type="checkbox"/> Co-Operative <input type="checkbox"/> Others _____ |
| Registered Office: | |
| Particulars of Principal Shareholders and Directors / Executive Committees / Board of Trustees (<i>where applicable</i>) to be attached | |
| PARTICULARS OF CONTROLLER (<i>natural persons who have controlling interest or who exercise control over entity</i>) | |
| Name: | Sex: Male / Female <i>*(Delete Where Applicable)</i> |
| Address: | |
| Date of Birth: | Passport / NRIC No.: <i>*(Delete Where Applicable)</i> |
| Nationality: | Occupation: |
| <i>Particulars of Controller are not required when the client is a Ministry or Department of Government, an organ of state or a statutory board or a company listed on a securities exchange or a recognized securities within the meaning of the SFA (Cap 289)(Rule 11D(4))</i> | |
| Type of Client(s): | <input type="checkbox"/> PEPs <i>(applies to Controller)</i> <input type="checkbox"/> Dubious Client <i>(see para 54)</i> |
| Type of Business Relationship(s): | |
| Nature and Purpose of Transaction: | <input type="checkbox"/> 5 Transactions <i>(see para 44 – 53)</i> <input type="checkbox"/> Red Flag <i>(see para 83 – 87)</i> <input type="checkbox"/> ≥S\$100,000 in cash is received <i>(see para 78 – 81)</i> |
| Risk Profile: (taking into account the above information and stating reasons for the risk grading) | <input type="checkbox"/> Low Risk <i>(Simplified Due Diligence)</i> <input type="checkbox"/> High Risk – Complete Section G <i>(Enhanced Due Diligence)</i> |

Notes:**1. Simplified Due Diligence**

For corporate clients, this comprises obtaining information on the identity of the client by:

- (i) Company structure chart provided by the client;
- (ii) Information available on client's website;
- (iii) Information available on client's annual report; or
- (iv) Information from any publicly known source.

There is no need to verify the identities of the directors / principal shareholder.

2. Identification Documents

- (i) Identification documents should be current and not expired.
- (ii) **Charities / Clubs / Societies**
Registration numbers should be checked with the records of Commissioner of Charities and Registrar of Societies as the case may be.
Names of all trustees and officers of the charity, club and society must be obtained before accepting the matter. Identity of natural persons who have controlling interest or exercise effective control over the charity must be verified, (PD, Part E, para 36 (6)).
- (iii) **Co-operatives**
Registration particulars must be checked with the Registrar of Co-Operatives. Names of members of committee of management and officers of the co-operative must be obtained.
- (iv) **Management Corporation**
Names of all officers of the Management Council of the MCST.
- (v) **Trust Corporation**
Identity of each trustee and beneficiary and nature of trust.

| | | |
|--|--------------------------|--|
| Documents obtained from client (where these are copies, originals have been sighted): | | Rule 11 (D) of the Legal Profession (Professional Conduct) Rules provide that the identity of a client must be verified before accepting instructions on any matter. |
| Certificate of Incorporation / Constitution | <input type="checkbox"/> | Where any of the client identification documents are not available and waiver (see Parts A, B and C) is inapplicable, lawyer may commence work provided that due approval is obtained, there is no / little risk of money laundering or terrorist financing and client verification is completed promptly thereafter, (Para 38). Approved by: _____ Name and Signature of Senior Management |
| Control Structure | <input type="checkbox"/> | |
| Details of Directors | <input type="checkbox"/> | |
| Details of Principal Shareholders (owning ≥ 25% of the shares in the Client) | <input type="checkbox"/> | |
| Details of natural persons who have controlling interest or who exercise control over entity | <input type="checkbox"/> | |
| Financial Statements and other source of funds documents (<i>where applicable</i>) | <input type="checkbox"/> | |
| Others | <input type="checkbox"/> | |

SECTION F: RELIANCE ON THIRD PARTY INTERMEDIARIES

Name of Intermediary:

Country of Incorporation / Residence (if individual):

Intermediary is a Legal Professional / Auditor / Financial Institution / Others **(Delete where applicable)*
Details of Others: _____

| | | |
|---|------------------------------|-----------------------------|
| Intermediary is subject to and supervised for compliance with FATF recommendations on AML and Prevention of Terrorist Financing | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|------------------------------|-----------------------------|

| | | |
|--|------------------------------|-----------------------------|
| Intermediary has adequate measures in place to comply with FATF requirements | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|--|------------------------------|-----------------------------|

| | | |
|--|------------------------------|-----------------------------|
| Intermediary has not been specifically excluded by Council | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|--|------------------------------|-----------------------------|

| | | |
|--|------------------------------|-----------------------------|
| Intermediary undertakes to relay client due diligence information to the law practice without delay upon request | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|--|------------------------------|-----------------------------|

| | | |
|---|------------------------------|-----------------------------|
| Intermediary is able and willing to provide without delay, upon request by the law practice, any client due diligence document that has been obtained by the intermediary | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|------------------------------|-----------------------------|

Intermediary may be relied upon for client identity checks if the above conditions are all met (Intermediary may not be relied upon to conduct on-going monitoring of clients)

| | | |
|---|------------------------------|-----------------------------|
| Extent of reliance on Intermediary: - Certification of foreign documents - Client identification checks | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Comments:

SECTION G: ENHANCED DUE DILIGENCE FOR HIGH RISK CLIENTS (see further para 43)

For corporations, obtain further details of ownership and control structure including details of all beneficial owners:

Identify and obtain particulars of all legal and beneficial owners of moneys / securities to be deposited with the Firm (where applicable):

Investigate into Source of Funds (where applicable):

Other Comments:

Ongoing Monitoring of Transactions to be conducted:

SECTION H: APPROVALS

I certify that the information above is correct and accurate to the best of my knowledge.

Signed by Engagement Lawyer

Approved by Compliance Officer

Name and Signature

Name and Signature

For High Risk Cases, approval to proceed from Senior Management required and obtained from:

Name and Signature

Name and Signature

NOTES:**TYPES OF CLIENTS WHO QUALIFY FOR SIMPLIFIED DUE DILIGENCE**

As a non-exhaustive guide, the following types of clients qualify for simplified due diligence check unless the lawyer or a law practice suspects that the client is connected with money laundering or terrorist financing:

- a) A financial institution supervised by the MAS (other than a holder of a money changer's licence or a holder of a remittance licence, unless specifically notified by the MAS) as they are subject to requirements to combat money laundering and terrorist financing consistent with the FATF recommendations and are supervised for compliance;
- b) A foreign government entity which is subject to mandatory compliance requirements and supervision for combating money laundering and terrorist financing consistent with the FATF recommendations;
- c) A wholly owned subsidiary of an entity listed on a stock exchange specified in Rule 11D(4)(b);
- d) An entity listed on a stock exchange not falling within Rule 11D(4)(b) but which is subject to regulatory disclosure requirements compliant with the FATF recommendations;
- e) A financial institution incorporated or established outside Singapore subject to requirements to combat money laundering and terrorist financing consistent with the FATF recommendations and supervised for compliance;
- f) An investment vehicle where the managers are financial institutions supervised by the MAS or incorporated or established outside Singapore subject to requirements to combat money laundering and terrorist financing consistent with the FATF recommendations and supervised for compliance;
- g) An individual or entity where reliable information on the identity of the client and its beneficial owners is publicly available; and
- h) A partnership that is made up of regulated professionals who are subject to requirements to combat money laundering and terrorist financing consistent with the FATF recommendations and supervised for compliance.

TYPES OF TRANSACTIONS WHICH QUALIFY FOR SIMPLIFIED DUE DILIGENCE

As a non exhaustive guide, the following business relationships and transactions qualify for simplified diligence checks unless a lawyer / law practice suspects that the transaction is connected with money laundering or terrorist financing:

- a) Transactions and matters pertaining to intellectual property rights, including but not limited to trade mark, patents and registered designs in Singapore or elsewhere such as pre-filing searches and related advice records of registrable transactions and the filing of applications to renew or to restore any such registrations as applicable;
- b) Transactions involving a pension, superannuation or similar scheme that provides retirement benefits to employees where contributions are made by way of deduction from wages and the scheme rules do not permit the assignment of a member's interest under the scheme; or
- c) General Singapore law advice with no specific or substantial association with any transaction or matter;
- d) Acting for a client in a transaction where there is no acquisition, divestment or any other dealing or management of any moneys, property, assets, securities, bank, savings or securities account with the client and any counterparty;
- e) Acting for a client to apply for a grant of probate or letters of administration as a personal representative of an estate;
- f) Acting for a client in a family law matter to obtain a decree of nullity or divorce or custody / access of children;
- g) Acting for a MCST in the collection of management corporation dues; or
- h) Where the value of the transaction does not exceed S\$20,000.

The quality of our service to clients is critical to the present and future success of the Practice. We are a professional practice and we are judged by the degree of professionalism with which we deliver our services to our clients.

Everyone in the Practice plays a part in the impression that the client receives. The greeting at the reception and on the telephone, the efficiency with which we deal with the client's enquiries, the quality of our correspondence and advice, are all elements of the image we project of the Practice.

These procedures relating to client communication (via telephone, meetings, correspondence) are aimed at ensuring that the client's experience at our Practice is a favourable one and, therefore, more likely to be repeated.

10.1 KEY ELEMENTS OF OUR SERVICE

In keeping with our Practice goals of excellence in service standards, all members of the Practice are expected to comply with the following guiding principles:

10.1.1 Expertise

Our aim is to provide reliable, accurate and professional legal services to all clients. All members of the Practice must ensure that they are suitably trained to provide the range and depth of service for which they have responsibility. We must not accept instructions which go beyond our professional expertise.

10.1.2 Confidentiality

All lawyers are bound by the Law Society's rules which require confidentiality in all dealings with clients. This means that no member may reveal to any outsider the nature of instructions provided or advice given to any client, other than in the pursuit of the client's instructions. In most circumstances, it will also be inappropriate to reveal that we are in receipt of instructions from any named client.

This is particularly the case in litigation, especially in criminal or divorce proceedings. If you are aware that friends or other people that you know are instructing the Practice, it may be tempting to reveal information to others; do not do so. If you are ever in doubt as to whether you should reveal whether we act for a given client, check with your Supervising Partner. Breaches of confidentiality could cause considerable problems for the Practice and will be treated as a serious disciplinary offence.

10.1.3 Commitment

Clients seek legal advice for a variety of reasons, but their instructions may require a great deal of sensitivity. All clients are entitled to expect a real commitment from our lawyers in handling their matters, and for us to attach appropriate priority to their needs and requirements. A professional service does not involve becoming emotional, however, and this should be borne in mind in all communications.

If it is necessary to make a threat, it should be clear that the threat is one that our client makes. Eg, 'In the event that you do not respond we are instructed to issue proceedings without notice' Instead of 'we will issue proceedings if you do not respond to us'.

10.1.4 Courtesy

Proper respect must be shown to clients and all others with whom we have dealings. Courtesy extends to arrangements for seeing clients in the office or elsewhere. Delays and postponements must be avoided, if possible, or at least explained. The methods of answering the telephone explained in this Manual ensure that we project an appropriate degree of business-like efficiency and professionalism at all times.

10.1.5 Communication

Clients must be kept abreast of developments which affect them. The Practice's policies on matter status reporting to clients is found in the sections relating to Case Management; particularly, in relation to the confirmation of instructions received and advice on the costs position of matters as they develop. Most of the complaints made against lawyers relate to poor communication rather than lack of expertise. Our policies on client care and communication are aimed at preventing such problems from arising in all our dealings with our clients.

10.1.6 Professional Conduct

All lawyers in the Practice are bound by the Legal Profession (Professional Conduct) Rules which prescribes the standards of professional conduct required of all practising members of the legal profession in Singapore.

A breach of these Rules may entitle the client to make a complaint against you under the following statutory provisions:

- a. Complaint of Professional Misconduct under s85(1) of the Legal Profession Act; or
- b. Complaint of Inadequate Professional Service under s75B of the Legal Profession Act

The final outcome of such complaints may be extremely severe, including:

- a. Imposition of financial penalties or compensation;
- b. An action in professional negligence by the client; or
- c. A decision by the Disciplinary Committee to disqualify you from the Bar.

All lawyers in the Practice are required to familiarise themselves with these rules and to keep them constantly in mind in all dealings with clients.

10.2 THE RECEPTION

10.2.1 Role of the Receptionist

The Receptionist is responsible for ensuring that:

- a. The Reception is tidy, that newspaper and magazines are up to date and are neatly arranged;
- b. The Practice's publicity material is made available to visitors and is kept in presentable condition, and that floral displays are fresh; and
- c. If there is a delay of over 10 minutes and the visitors are kept waiting, they must be informed of the reasons for the delay and provided with suitable refreshment.

10.2.2 Client Confidentiality in the Reception Area

Issues of client confidentiality in the Reception area must be kept in mind by all members of the Practice. Avoid discussing client activities in the Reception, including the lift lobby and common areas.

Any conversations with clients in the Reception should be limited to pleasantries, appointment times, etc., only. If there is to be any discussions of confidential information an office or meeting room must be used.

10.3 APPROPRIATE DRESS AND DEMEANOUR

It is important that we project an image of professionalism at all times. All members of the Practice [including Staff] should dress in a manner which is appropriate for a professional practice, and in particular avoid [specify, e.g. shorts, jeans, t-shirts, tanktops, slippers or flipflops, cutoff trousers etc].

10.4 LAWYER'S RESPONSIBILITIES

Lawyers are responsible to ensure that:

- a. The Receptionist is notified of all client appointments;
- b. A meeting room is booked as soon as the appointment is confirmed;
- c. The client is not kept waiting;
- d. Their secretary or the Receptionist is informed of their whereabouts in the building; or when they leave the office (other than at lunchtime) and what time they will be back; or when they are at a meeting and cannot be interrupted;
- e. There is sufficient time prior to their next commitment for the client's matter to be properly dealt with; and
- f. There are no interruptions during the meeting with the client unless an emergency occurs; in which event, it is important that the client is not given the impression that another client's matter is given higher priority.

10.5 TELEPHONE MANNERS

All incoming calls must be answered promptly. All members are required to extend the same courtesies to the client over the telephone in keeping with the professional image of the Practice. In addition, please note the following procedures for relaying messages and telephone calls from clients.

Procedures and Guidelines for using the Practice's [PABX / Phonetel / Name of System] telephone system to pick up / redirect calls / set voicemail messages is attached as Appendix 4E.

10.5.1 Responsibilities of the Receptionist (Telephone Switchboard)

The Receptionist should answer all incoming calls with the the name of the Practice followed by an appropriate greeting ("Good Morning" or "Good Afternoon"); then ascertain the identity of the caller and the person they wish to speak to.

If the person is not in the Office or has left instructions that he / she cannot be interrupted, the Receptionist should indicate when the person will be available and ask the caller if he / she would like to leave a message. The Receptionist is responsible for ensuring that all telephone messages are related in a timely manner to the relevant person.

10.5.2 Responsibilities of Lawyer / Staff (Individual Extensions)

You should identify yourself to all incoming callers.

Any lawyer who leaves his / her desk must redirect his / her telephone to a secretary and inform the designated secretary what time he / she will be back.

Group "call pickup" policies apply to staff in the same section. When any phone rings in your section and is unanswered after the [fourth] ring, please pick up the call and take a message on behalf of the staff who has left his / her desk.

When answering calls for any party who is not available, take a message from the caller and ensure that it is related to the relevant party. As far as possible, inform the caller of when the lawyer will return his / her call.

The User Manual for picking up and redirecting telephone calls using the [name of system] telephone system is found in Appendix 4E.

10.6 ADDRESSING CLIENTS IN CORRESPONDENCE

When writing to clients, address the client by their appropriate title and name.

Avoid using first names, unless the client is well known to you.

Letters to companies or other law firms, must be addressed to the company / Law Practice and not the liaison party / lawyer handling the matter. In most cases, therefore, “Dear Sirs” is the appropriate method of address.

References to the Practice in all correspondence is “we” not “I”.

10.7 CLIENT COMPLAINTS

Although we strive to provide the best service possible for all clients, some may be dissatisfied with the service that we provide. How we respond to client’s complaints is an important indicator of our professionalism.

10.7.1 Preventing a Complaint

At the outset, we expect the lawyer to anticipate a complaint arising from the difficulties that the client has encountered in his or her dealings with the lawyer. At this stage, it may be possible to resolve the problem or misunderstanding. A nicely worded verbal or written apology and assurances that the difficulties will be addressed may persuade the client not to make the complaint “official”. Do not become defensive or emotional and do not try to avoid the client as this will make matters worse.

It is recommended that you bring your Supervising Partner into the picture as soon as you encounter any difficulties with your client in order to prevent these difficulties from accelerating into a complaint against you. This is also likely to assure your client that his problem is receiving attention from someone with higher authority than you in the Practice.

10.7.2 Dealing with a Complaint

If you are unable to satisfy the client at this initial informal stage, you must:

- a. Report the complaint to your Supervising Partner; and
- b. Provide the Client with the Client Complaints Policy and Form (Appendix 10A).

The Head of Department / Risk Management Partner is responsible for ensuring that all complaints received from the clients are duly investigated and dealt with. A copy of the Complaints form will be sent to the Risk Management Partner who must be kept updated on the actions taken and status of the Complaint.

10.7.3 Complaints Made to the Law Society

The client may make an “official” complaint to the Law Society of Singapore under the following provisions:

- a. Complaint of Professional Misconduct under s85(1) of the Legal Profession Act; or
- b. Complaint of Inadequate Professional Service under s75B of the Legal Profession Act.

The rules of procedure for the Council to consider a complaint of inadequate professional services prescribe that the Council first attempt to mediate a settlement between the lawyer and the client.

For Complaints of Professional Misconduct, the Council will refer the complaint to an Inquiry Panel.

10.7.4 Internal Complaints Review

As part of the annual management review, the Risk Management Partner will review the complaints record for the year and make the appropriate recommendation for addressing the risks identified through the complaints made against its lawyers.

Our Complaints Policy

We are committed to providing a high-quality legal service to all our clients. When something goes wrong we need you to tell us about it. This will help us to improve our standards.

Our Complaints Procedure

If you have a complaint, please complete and submit this Form to our Managing Partner, [Name]. He / She will contact you shortly to follow up on your complaint.

| | | | |
|----------------------------------|--|--------------|--|
| Complainant: | | Date: | |
| Address: | | | |
| Telephone: | | Email / Fax: | |
| Name of Lawyer / Staff involved: | | Department: | |
| Matter Description: | | Matter No: | |
| Nature of Complaint: | | | |
| Details of Complaint: | | | |
| Signed: | | Date: | |

In this section, “fee earner” shall refer to the lawyer taking charge of the matter and shall include any locum solicitor who undertakes case work on behalf of the Firm.

11.1 ACCEPTANCE AND REJECTION OF INSTRUCTIONS

The Practice is not obliged to accept all possible instructions. The circumstances where it should decline instructions include:

- a. The work is not of a specialisation that the Practice offers or it falls under the “generally unacceptable” category of work as specified in the Risk Management section;
- b. Resources would be inadequate to perform the work to the satisfaction of the client, or the quality of our service to other clients would be placed in jeopardy;
- c. It would be economically unviable for the Practice to do the work and it is not felt appropriate to accept the instructions under our pro bono policy;
- d. Unsatisfactory past experience with that client, such as their previous refusal to pay a bill or offensive or threatening behaviour to a representative of the Practice;
- e. There is, or could reasonably be suspected to be, a conflict of interest in relation to the instructions and existing clients or instructions received; and
- f. There is, or could reasonably be suspected to be, a strong likelihood of money-laundering activity.

On occasion, the Practice may receive instructions where a previous solicitor has represented that client on that matter to date. In such circumstances there must be noted on the file:

- a. The name of the previous solicitor and the Practice;
- b. The reason for the transfer; and
- c. The outcome of consideration of any special issues in relation to the instructions, such as outstanding complaints or claims or difficulties with costs and expenses to date. Any undertaking for costs to date must comply with the general procedure on undertakings.

11.2 CONFLICT OF INTEREST, CLIENT VERIFICATION AND FILE OPENING

Conflict of interest should be considered before the commencement of any matters. In this Practice, a conflict of interest search must be carried out through our Practice Management System before a matter is commenced.

In some cases, it may be also be prudent for the fee-earner to make necessary enquiries to his or her colleagues to ensure that there is no conflict.

The procedure for opening a file to commence a matter is set out below:

- a. The Fee Earner must comply with the “Know Your Client” regime as prescribed by the Law Society’s Practice Direction “Prevention of Money Laundering and the Funding of Terrorist Activities” dated 15 January 2008 (“the PD”) by completing the AML Checklist and relevant File Notes – see paragraph 9.7 and Appendix 9A;
- b. Fee-earner verifies that a file opening form is completed and sent to the accounts department. The File Opening Form is attached as Appendix 11A and must be accompanied by documentary evidence of the client’s identity;
- c. The accounts department runs a conflicts check in the Practice Management System to identify any potential conflict of interests;
- d. A copy of the file opening form and the results of the conflicts search is sent to the relevant Supervising Partner;
- e. The Supervising Partner will determine if the Practice should accept the instructions taking into account the factors set out in Paragraph 11.1. The signature of a partner on a file opening form signifies that the Practice can and will accept the matter. Where there is any doubt on the part of any fee-earner as to whether the instructions should be accepted, the matter should be referred to the relevant Head of Department;
- f. The Head of Department should be consulted before the Practice declines a matter;
- g. Where a conflict is identified, the client should be informed in writing that the case can only be accepted if the potential opponent does not object;
- h. The client’s instructions must be declined if the potential opponent does object;

- i. The undertaking of a conflict check should be recorded on the matter file;
- j. Where instructions are declined for reasons other than conflict of interest, the client should be notified in writing of the Practice's refusal to take on the work together with any reasons which can appropriately be given in the circumstances; and
- k. Refer to Paragraph 11.4 for the procedure on Taking Instructions from Clients.

11.3 FILE SUMMARY SHEETS

It is mandatory that a file summary sheet be used on all matter files and constantly kept up to date by all fee-earners handling the matter. This ensures that the status of the matter will be readily apparent to anyone checking the file.

A copy of a File Summary Sheet is Attached as Appendix 11B.

11.4 TAKING INSTRUCTIONS

This section describes the way in which instructions are taken from clients to ensure that the Practice fully understands the client's needs and that the client understands what work is to be conducted on its behalf and the costs involved. It applies to all matters.

Fee-earners shall take instructions in the following manner:

- a. Fee-earners will take instructions only for matters that fall within their area of expertise. Client requirements may be by written instruction, telephone, or obtained by interview;
- b. For the initial meetings with the client, the fee-earner shall identify the essential elements of the problem and discuss with the client the options that might be available to provide a basis for costing and projected time; and
- c. The fee-earner will discuss with the client any degree of risk involved in pursuing the matter and record the discussion in the matter file.

Once the matter is accepted, the fee-earner shall send the client a letter of engagement which will contain:

- a. Confirmation of instructions, objectives, advice, agreed actions and time frames;
- b. Terms and conditions of the engagement;
- c. Costs and time information in line with the Legal Profession (Professional Conduct) Rules 1998; and
- d. Name of the person handling the matter and the name of the person responsible for overall supervision.

The fee-earner shall use the Standard Letter of Engagement attached as Appendix 11C. Deviations from these templates are only permissible with partner approval.

In the case of repeat clients, the Practice should issue Agreed Terms and Conditions which shall apply to all instructions received from the client.

In more complex matters, a detailed case plan will be prepared. The plan could cover:

- a. Detailed information required – dates;
- b. Specific events in the case – time-scales and dates;
- c. Areas of law involved, precedents used, resources required; and
- d. Review arrangements.

The fee-earner shall maintain legible attendance notes which shall be made of all significant conversations both by telephone or face to face, (enter the method of recording – e.g. file note, pro-forma etc). Notes will show instructions taken, client objectives, advice given and any actions agreed.

Where instructions are received other than at a meeting, the fee-earner shall acknowledge the receipt of these instructions promptly, having regard to the sensitivity and urgency of the matter.

Where instructions are given during a meeting or phone call, it may be necessary to follow up with a written record of the instructions received orally.

Where a department has issued particular methods of taking instructions, such as through the use of checklists, these checklists should be used.

11.5 KEY DATES

This procedure details the arrangements for the identification and recording of key dates. It applies to all matters where key dates are appropriate.

Key dates include:

- a. Time limits of any nature;
- b. Court/Hearing dates;
- c. Limitation Periods;
- d. Completion dates;
- e. Any date that if missed may give rise to a negligence action or would require reporting to the Risk Manager or professional indemnity insurer; [and / or]
- f. (Insert any others appropriate to the Practice).

Fee-earners shall ensure that key dates are recorded in the following manner:

- a. Key dates shall be recorded prominently on the File Summary Sheet attached to the front of the matter file (insert where on the file they should be recorded);
- b. As a back up, key dates should also be entered into the_____. (insert the type of back up system to be used – e.g. central diary, fee-earners desk diary, case management system etc); and
- c. The back up record should be checked daily by the fee-earner or his or her secretary. Where the fee-earner is absent, the secretary shall inform the fee-earner's supervisor of forthcoming and due key dates.

11.6 CASE PROGRESS

This section sets out a systematic method of progressing and reviewing files in accordance with the client's instructions and with relevant procedures. It applies to all matters.

Fee-earners progress matters in accordance with the time-scales required by the client.

Fee-earners ensure that as the matter progresses:

- a. Timely responses are made to all correspondence and telephone calls. Telephone calls should be returned within ____ hours and responses to correspondence should be made within ____ working days;
- b. All outgoing correspondence, documents, reports etc are checked, signed and dated;
- c. Information on progress is given to the client at appropriate intervals (e.g. on receipt of counsel or expert opinion, receipt of offers etc);
- d. The client is informed in writing if there are any changes in planned actions or in the person handling the matter. The client should also be informed if there is any change to the degree of risk involved in the light of information gained as the case progresses; and
- e. Information on costs should be given to the client at least every six months or at key stages (e.g. approaching any agreed limit). Information should cover costs to date and any revised estimate of total costs.

The fee-earner shall record all communication with the client, the other side or experts in an attendance note, in particular, communication where:

- a. Advice is given;
- b. Instructions are received from the client or are given on the clients behalf to others; and / or
- c. A decision is made, even if the decision is to do nothing.

All attendance notes should be dated and noted with the file reference and client name.

The fee-earner shall also record all file reviews, research, progress, verifications and checks, and internal discussions pertinent to the progress of the matter in the correspondence file.

The Attendance Note form is attached as Appendix 11F.

The fee-earner shall also continue to monitor the risks associated with the file and shall inform the relevant supervisor where circumstances change such that the Practice is exposed to an unusual degree of risk. This shall be done by way of the Risk Review Form attached as Appendix 11G.

Where there is any doubt on the part of any fee-earner as to whether the Practice should continue acting in a matter, the matter should be referred to the relevant Head of Department.

The Head of Department should be consulted before the Practice declines a matter.

11.7 UNDERTAKINGS ON BEHALF OF THE PRACTICE

This section defines the circumstances in which fee-earners may give an undertaking and the process by which undertakings are controlled. It applies to all undertakings given on behalf of the Practice.

11.7.1 Routine Undertakings

Routine undertakings consist of:

- a. Undertakings to discharge mortgages out of the proceeds and sale;
- b. Undertakings to hold deeds to the order of financial institutions; and
- c. Undertakings to service providers and experts to discharge fees.

All other types of undertakings are deemed to be non-routine.

The procedure for giving routine undertakings is set out below:

- a. _____ can give routine undertakings;
- b. The fee-earner enters the details of the routine undertaking into the matter file;
- c. Fee-earners must have express instructions from the client to give an undertaking except where told to sell a property with a mortgage in which case instructions to give a routine undertaking can be implied; and
- d. An undertaking to discharge a mortgage must never be given unless the fee-earner is sure that the proceeds of the sale in the Practice's hands are sufficient for the purpose.

11.7.2 Non-Routine Undertakings

All non-routine undertakings must be approved by a partner.

The fee-earner enters the details of the non-routine undertaking into the matter file, completes and submits a copy of the Notification on Central Undertakings Register Form (Appendix 11H) to _____ for entry into the Central Register.

On the first working day of each month a list of current non-routine undertakings is given to each fee-earner. The fee-earner will mark on the list those that have been discharged and the central register is then updated.

When a non-routine undertaking is discharged, a copy of the letter of discharge is maintained in the matter file and the file noted accordingly.

11.8 CASE COMPLETION

This section describes the steps to be taken when matters are concluded to ensure the client is fully informed, that all costs have been recovered and that the file is properly closed and archived.

Fee-earners are responsible for implementing this procedure with the assistance of secretarial staff.

At the conclusion of the matter the fee-earner is required to ensure that the following steps are taken to complete the file:

- a. Reviews the file to ensure that the client's instructions have been met and there are no outstanding actions to be completed. This review should also consider the actual risk experienced in comparison to that envisaged and any significant differences should be reported to the Risk Manager; and
- b. Ensure that all undertakings have been discharged.

Check with the Accounts Department to ascertain that there are no:

- a. Outstanding bills to render or monies owing; or
- b. Outstanding monies in clients' accounts.

Report in writing to the client on the outcome, explaining any further action that the client may be required to take in the matter and what (if anything) the Practice will do.

Account to the client for any money involved.

Return to the client any original documents and other property, if required.

Advise the client about storage and retrieval of other items.

Advise the client whether there is a need to review the matter in the future.

Extracting any precedents, opinions and other materials in the file which may be useful for future reference and contributing this to the Practice's Knowledge Base (reference is made to Paragraph 6.7).

Complete the File Closure checklist (Appendix 11I).

Archive the file noting the date on which the file was closed and date for destruction.

Record in the PMS the file closure and file destruction dates, and where the file is stored.

| CLIENT & MATTER RECORD | | | | | |
|--------------------------------|-------------------------------------|--|-----------------------------------|----------------------------------|-------------------------------------|
| Record Type: | <input type="checkbox"/> New Client | <input type="checkbox"/> Existing Client | <input type="checkbox"/> Not Sure | <input type="checkbox"/> Company | <input type="checkbox"/> Individual |
| Lawyer in Charge: | <input type="text"/> | Signed: | <input type="text"/> | | |
| Supervising Partner: | <input type="text"/> | Signed: | <input type="text"/> | | |
| Client Name: | <input type="text"/> | | | | |
| Client Correspondence Address: | <input type="text"/> | | | | |
| Documents To: | <input type="text"/> | | | | |
| Client's Contact Details: | | | | | |
| Mobile | <input type="text"/> | Tel | <input type="text"/> | Fax | <input type="text"/> |
| | | | | Email | <input type="text"/> |

| | |
|---|---|
| Conflict of Interest Search Conducted on (list names): | |
| 1. | |
| 2. | |
| 3. | |
| Conducted by: <input type="text"/> | Confirmed Report Attached: <input type="checkbox"/> |
| Verification of Identity and Address of Client: (list copy of ID documents attached): | |
| 1. | |
| 2. | |

Appendix 11B – File Summary Sheet

| FILE SUMMARY SHEET (to be placed on file when opened and kept up to date) | | | |
|---|-------------|------------------------|--|
| Client Name: | | Lawyer in charge: | |
| Matter No: | | Leave Cover: | |
| Matter Description: | | Supervising Partner: | |
| Worktype: | | Secretary / Assistant: | |
| Parties: | | Contact Details: | |
| | | | |
| Action / Key Date Type: | Date Due: | Date Done: | |
| | | | |
| Special Instructions: <input type="checkbox"/> Tick if Client does not agree to audit inspection <input type="checkbox"/> Tick if Undertakings have been given. State nature and status of undertakings | | | |
| Undertaking: | Date Given: | Date Discharged: | |
| | | | |

Law Society's Sample Letter of Engagement (June 2010 version)

Dear Sirs,

SUBJECT MATTER: SALE / PURCHASE / SUIT NO 123 OF 2002 LETTER OF ENGAGEMENT

- 1 We refer to the meeting on _____ between the undersigned and your Mr _____ .
- 2 Once again we thank you for instructing us in this matter.
(Establish client identity of an individual)
- 3 From 15 August 2007 law practices in Singapore are required by the Law Society to check the identity of their client before they act for them.

Thank you for producing your original identity card / passport / driver's licence to the practice to establish your full name and address

OR

(Establish identity of an individual client who instructs the practice from abroad) From 15 August 2007 law practices in Singapore are required by the Law Society to check the identity of their client before they act for them.

As you live abroad the easiest way for the law practice to check your identity is for you to show your original identity document to establish your full name and address to a lawyer or other professional in your country or a notary public to have him certify a copy of your identity document as true and forward the same directly to our law practice.

OR

(Establish client identity of a corporate client)

- 4 From 15 August 2007 law practices in Singapore are required by the Law Society to check the identity of a client before acting for them. To verify the identity of the company we will conduct a search with the Accounting and Corporate Regulatory Authority of Singapore to obtain the company's incorporation particulars and the names and addresses of all directors and shareholders for the company.

As the company is instructing a director to give instructions to us on this matter we will also need to have evidence of the authority of the director to give us instructions on behalf of the company and have sight of his original identity document

OR *(Establish client identity of a foreign corporate client)*

From 15 August 2007 law practices in Singapore are required by the Law Society to check the identity of a client before acting for them. To verify the identity of the company in ..., we require sight of a true copy or certified copy of the certificate of incorporation evidenced by an accountant, lawyer or other professional in your country, which shows the company's registered address, the list of names of and addresses of its directors and principal shareholders (that is who own more than 25% of the company's shares).

- 5 We are also required by the Law Society's Rules of Practice to inform you of the principal terms of our engagement as your solicitors / counsel* in Singapore.

Scope of our services

- 6 The lawyer / Director / Partner in charge of your matter will be Mr / Ms / Dr / Mrs _____. She / He will be assisted by Mr and Ms _____ who are secretaries / legal executives / paralegal staff in our law practice.
- 7(1) During the course of the matter, we shall keep you advised on the progress of your matter on a regular basis either by telephone, electronic mail or fax or letter enclosing copies of relevant correspondence. You can of course contact us for a progress report at any time. The respective lawyers you can contact are _____ at (65) _____ and paralegal staff are _____ at (65) _____ and their e-mail addresses are _____ and _____.
- 7(2) During the course of the matter where applicable we will explain to you any proposals of settlement or other offers made or positions taken by other parties which affect your case. We will also where appropriate evaluate with you if a course of action requested by you justifies the risk or expense involved.
- 8 The scope of our services which we foresee following our first meeting will extend to the following:
- 8.1 Advising you on matters of Singapore law related to the dispute which has arisen between you and XYZ Pte Ltd or acting for you in the purchase and mortgage of the property known as _____
- OR
- 8.2 Representing you in legal proceedings brought in Singapore (if it is determined to be the appropriate jurisdiction) in connection with the foregoing.
- 8.3 Doing all things as may be required or necessary and / or incidental in connection with the foregoing.
- 9 This letter countersigned by you constitutes your Warrant to Act in favour of us with respect to representing you generally in Singapore in connection with the above matter and no further warrant to act will be necessary for compliance with Order 64 Rule 7 of the Rules of Court.

Information on discovery of documents

- 10 It is our duty to advise you that you must not deliberately destroy documents (including electronic documents) relevant to the issues in this matter that are in your possession, custody or power. Documents that are “relevant” to the issues in this matter include documents that do not support or adversely affect your case, or are confidential or informal. A party “deliberately” destroys relevant documents if he intends to put these documents out of reach of the other party in pending or anticipated litigation. If a party is found to have deliberately destroyed relevant documents, the Court may strike out that party’s claim (if he is the Plaintiff) or defence (if he is the Defendant), even if a fair trial is still possible. It may therefore be necessary for you to suspend any corporate document destruction programme immediately. From now on, you should not destroy any document which could conceivably be relevant, however unimportant it may appear to you.

If you have already destroyed relevant documents before instructing us in this matter, you are still required by the Rules of Court to disclose to your opponent that these documents were once in your possession, custody or power. As stated above, the Court has the power to impose severe sanctions if the destruction was deliberate. Your obligation to preserve evidence continues until this matter is finally resolved. The same obligation applies to your opponent. After action is commenced, you will in due course have to list, and then produce for your opponent’s inspection, relevant documents that are not privileged (including new documents that you create through internal discussion or otherwise) and which are in your possession, custody or power. We would therefore wish to be involved in the formulation of anything relevant to this matter which you may wish to commit to writing.

Please ensure that every individual in your organization who may be affected by your discovery obligations in this matter is made aware of the need to preserve relevant documents, whether or not those documents are privileged. If you have any questions about this advice or any other discovery-related topic not covered by this advice, please feel free to contact our Mr _____ or Ms _____.

Information on our professional fees

- 11 Our legal fees will be based on the actual time spent in connection with this matter by the lawyers having conduct of your matter, including the time spent in meetings with you, including any telephone conversations, emails to or from you, letters and others; preparing, reviewing and working on matter, preparing papers including correspondence; making and receiving telephone calls and others on your behalf ; preparing for and attending court on your behalf; travelling and waiting; and the overall management of this matter.

Hourly rate

- 12 The hourly rates of the lawyers who will be handling your matter are as follows: The hourly rate of the partner / director is S\$_____ per hour; our junior partners / director is S\$_____ per hour and that of our associates is S\$_____ per hour. We are mindful of the need to keep your costs under control, and will endeavour to do so by ensuring that all work is done at the appropriate levels of seniority with the requisite degree of supervision.

We keep our hourly rates constantly under review and will notify you of any changes to them.

OR

- 12 Our fixed fee for acting for you to complete the purchase of your property and mortgage as agreed shall be _____. The sum will be paid_____ days before completion of your purchase after we issue you our bill of costs. As we have agreed to undertake your work on a fixed fee basis the bill will be rendered to you with a list of disbursements incurred or to be incurred by the practice before completion of your sale / purchase which is fixed under your contract of sale and purchase on_____ or redemption of your mortgage by _____.

Please note this fixed fee agreed excludes disbursements and GST. We anticipate disbursements for the stamping of documents and all necessary legal searches to be about S\$_____. If there is a substantial increase in the estimate of our disbursements our practice will advise you of the same.

These disbursements include postage charges, telephone charges, photocopying charges, court fees and the costs of airfare and / or hotel accommodation for any travel outside Singapore relating to this matter by our lawyers. A list of disbursements will be provided in bill and a further itemised list of disbursements can be provided upon request.

Payment of deposit of fees

- 13 It is normal practice for law firms to require clients to pay sums of money from time to time on account of anticipated professional fees and disbursements. We will therefore require an initial deposit of S\$_____ (approximately Singapore Dollars _____) before we can start work on your matter. As you have advised the deposit will be remitted via telegraphic transfer in Singapore Dollars to our bank account, the details of which are as follows:

Please quote our file reference in your instructions to your bankers to assist us in tracing your remittance.

- 14 As your matter progresses, we reserve the right to ask for further deposits from you of a quantum commensurate with the anticipated professional fees and disbursements at that stage of the matter. If such a further deposit is requested, remittance of that deposit will be a condition of our continuing to act for you.
- 15 Please note that these sums are deposits only, and the total amount of professional fees and disbursements payable to us may exceed or fall below the total amount of deposits remitted to us.

- 16 We will hold all deposits remitted to us in our client account for your benefit. Unless you give us specific instructions, it shall be in our discretion whether or not to place such monies on interest-bearing deposit. We are entitled to set off the monies standing to your credit in our client account and any interest accrued thereon against legal fees and disbursements due to us. We will not, however, effect any set-off against our legal fees and disbursements unless we have rendered a bill to you or other written note of costs and notified you in writing to your last known address of our intention to effect the set-off and carry out the set off with 2 days of our bill or note to you. For the purpose of exercising such set-off, we shall have the right to uplift any of your monies placed on interest-bearing deposit by us, whether at or prior to the time of maturity of the deposit and regardless of any penalty which may be imposed for early withdrawal.

Further information on costs for a litigation matter

- 17 A dispute such as the present one, if it proceeds to trial, can take up to ____days in open court at a total cost, exclusive of disbursements, of between S\$_____ and S\$_____. If the matter is settled before trial, as happens in many litigious matters, our fees will be correspondingly lower.

Please note that this estimate of likely fees is provided for your guidance only, and that our invoiced charges will in any event be based on the actual time spent by the lawyers handling this matter.

Information on party and party and solicitor and client costs

- 18 You will be personally responsible for the payment to us of our legal fees, disbursements and GST in full whether or not you succeed and whether or not the Court makes an order that your opponent pay your legal fees.

In the event that you are unsuccessful, you are likely to be ordered to pay your opponent's legal fees, and you will have to pay these legal fees in addition to the legal fees due to us.

Even if you succeed in the litigation the Court may not order your opponent to pay your legal fees or not order your opponent pay the full amount of the legal fees actually payable by you to us or your opponent may not in fact be capable of paying what has been ordered against him. Fees of experts or third parties (if applicable).

- 19 If we instruct experts, translators or other third parties on your behalf and with your approval, you will be responsible for paying their fees directly to them upon presentation of their invoices.

If GST is payable

- 20 As we are a business registered under Singapore's Goods and Services Tax Act, our legal fees and certain disbursements will be subject to a 7% Goods and Services Tax ('GST') to be borne by you.

Ceasing to act for you

- 21 We are entitled to terminate our engagement to act for you on the grounds set out in Rule 42 of the Law Society's Professional Conduct Rules and this includes where you have been in breach of our agreement on payment of fees set out in this agreement.

At the time of termination, we are entitled to exercise a lien (a right of possession) over all documents and monies held on your account until full payment is received. In the event if you decide to appoint new law practice, we will as required by the Law Society's Rules release all documents to them only upon receipt of an undertaking from your new lawyers to protect our right over your documents handed over to them for outstanding legal costs.

- 22 Please sign and return to us the attached copy of this letter and the enclosed Warrant to Act.
- 23 Please do not hesitate to contact our Mr _____ or Ms _____ if you require any clarification on any of the above matters or for any other purpose as this matter progresses.

Yours faithfully,

| | | | |
|---|----------------------|----------------------|----------------------|
| RISK REVIEW FORM | | | |
| Name of Client: | <input type="text"/> | Lawyer in Charge: | <input type="text"/> |
| Matter No.: | <input type="text"/> | Supervising Partner: | <input type="text"/> |
| Matter Stage: | | | |
| Nature of risk now arising: | | | |
| Action already taken: | | | |
| Recommended further action at this stage: | | | |
| Reasons for recommendation: | | | |
| Signed: | <input type="text"/> | Lawyer in charge | Date: _____ |
| Received: | <input type="text"/> | Risk Partner | Date: _____ |

(not for routine undertakings)

| NOTIFICATION ON CENTRAL UNDERTAKINGS REGISTER | |
|--|-------------|
| To: _____ | Date: _____ |
| From: _____ | |
| Client: _____ | |
| Matter No.: _____ | |
| RE: UNDERTAKING _____ | |
| <p>Tick whichever is applicable</p> <p><input type="checkbox"/> Please register the fact that I have provided an undertaking in the above matter. The undertaking is as follows: _____</p> <p>OR</p> <p><input type="checkbox"/> Please register the fact that the above undertaking as been discharged.</p> | |
| Signed: _____ | Date: _____ |
| Partner Consent: _____ | |

| FILE CLOSURE CHECKLIST | |
|---|---------|
| Matter No.: | Client: |
| _____ | |
| Matter Description: | _____ |
| _____ | |
| Date Closed: | _____ |
| 1. All monies accounted for | [] |
| 2. Undertakings discharged | [] |
| 3. All aspects of the matter completed | [] |
| 4. File checked for documents to return | [] |
| 5. Closure letter to client covering: | |
| a. Outstanding monies | [] |
| b. Actions required | [] |
| c. Return of documents | [] |
| d. Arrangements for storage/retrieval | [] |
| e. Need for future review | [] |
| 6. Risk review carried out and actions, if needed taken | [] |
| 7. Materials extracted for contribution to Knowledge Base | [] |
| Signed: | Date: |
| <input type="text"/> | _____ |

This section prescribes the ways in which documents and correspondence within or relating to matter files should be referenced and stored so that the status of the matter can be easily checked and that files are orderly.

Correspondence and documents should be filed in the appropriate type of file cover e.g.:

- a. Litigation: _____
- b. Conveyancing – Purchase: _____
- c. Conveyancing – Sale: _____
- d. Criminal: _____
- e. Family / Probate: _____

A Matter Number will be allocated to each file as part of the opening procedure.

The Summary Sheet on the file cover will show all key information including:

- a. Matter number and type of matter;
- b. Client name, address and contact details;
- c. Fee-earner reference or name;
- d. Any other relevant contacts; and
- e. Other appropriate information
(e.g. undertakings, key dates, conflict check, documents held elsewhere).

The following procedures must be complied with to ensure proper file management:

- a. All outgoing correspondence will show the file reference number and the client name;
- b. All other documents / correspondence will be checked to ensure that they have some means of identification to the file and if not will be noted in pencil with the file reference number;
- c. All correspondence, attendance notes and memorandum will be secured in the file in date order with the most recent on the top; and
- d. All other documentation will be contained in _____ (insert method used, e.g. plastic sleeves for specific purposes, separate wallet etc).

This section describes the way in which a sample of files for each fee-earner is independently reviewed on a regular basis. “Fee-Earner” in this section shall also include any locum solicitor who undertakes case work on behalf of the Firm.

The direct supervisor of each fee-earner will review the files of each fee earner.

The review of files will be conducted as follows:

- a. A sample of matter files will be reviewed for each fee-earner on a [quarterly] basis;
- b. A total of [10] files will be reviewed in each period. The files will be selected by the reviewer;
- c. The review will be undertaken using the file review checklist attached as Appendix 13A;
- d. Where corrective action is required the reviewer will agree with the fee-earner how it is to be undertaken and once completed the checklist will be noted to show the action has been taken;
- e. A copy of the completed checklist will be retained in the matter file and one held in a central record of file reviews; and
- f. The central record will be monitored by the Managing Partner every 6 months to identify any trends.

Appendix 13A – File Review Form

| | | | | |
|-----------------------------|-----|-------------|-----|----------|
| Client Name: | | Matter No.: | | |
| Subject Matter: | | Department: | | |
| Fee Earner: | | Reviewer: | | |
| File opening: | Yes | No | N/A | Comments |
| Identity checked | | | | |
| Conflicts considered | | | | |
| Appropriate risk assessment | | | | |
| Letter of Engagement Issued | | | | |
| Instructions confirmed | | | | |
| Costs Information provided | | | | |

| | Yes | No | N/A | Comments | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|----|-----|----------|-------------------------------|--|--|--|--|----------|--|--|--|--|-----------|------------------------------|--|--|--|--|---|--|--|--|---|---|--|--|--|-------------|-------------|--|--|--|
| State of file: Appropriately filed Key dates noted on file and in back-up system Summary sheet completed All related files identified Separate papers/items identified | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Progress of matter: Progress fully noted Costs updated Client informed of progress | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Counsel and experts: Client consulted Approved if used Properly briefed Advice considered Unsatisfactory advice noted | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other observations: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width: 100%;"> <tr> <td colspan="2" data-bbox="188 1373 517 1402">Short-term corrective action:</td> <td colspan="3"></td> </tr> <tr> <td colspan="2" data-bbox="188 1438 304 1467">By when?</td> <td colspan="3"></td> </tr> <tr> <td data-bbox="188 1503 312 1532">Confirmed</td> <td data-bbox="826 1503 1155 1532">Long-term corrective action:</td> <td colspan="3"></td> </tr> <tr> <td data-bbox="188 1565 734 1594">Corrective action taken – signed by Fee-Earner</td> <td data-bbox="826 1565 1378 1594">Corrective action verified – signed by Reviewer</td> <td colspan="3"></td> </tr> <tr> <td data-bbox="188 1612 754 1680"> <input style="width: 100%; height: 30px;" type="text"/> </td> <td data-bbox="826 1612 1404 1680"> <input style="width: 100%; height: 30px;" type="text"/> </td> <td colspan="3"></td> </tr> <tr> <td data-bbox="188 1709 754 1753">Date: _____</td> <td data-bbox="826 1709 1404 1753">Date: _____</td> <td colspan="3"></td> </tr> </table> | | | | | Short-term corrective action: | | | | | By when? | | | | | Confirmed | Long-term corrective action: | | | | Corrective action taken – signed by Fee-Earner | Corrective action verified – signed by Reviewer | | | | <input style="width: 100%; height: 30px;" type="text"/> | <input style="width: 100%; height: 30px;" type="text"/> | | | | Date: _____ | Date: _____ | | | |
| Short-term corrective action: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| By when? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Confirmed | Long-term corrective action: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Corrective action taken – signed by Fee-Earner | Corrective action verified – signed by Reviewer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input style="width: 100%; height: 30px;" type="text"/> | <input style="width: 100%; height: 30px;" type="text"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Date: _____ | Date: _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

This section prescribes how the Practice selects appropriate counsel, consultants and expert witnesses and how their services are controlled. It applies to matters where the use of external service providers is considered appropriate.

The central register of counsel, consultants and experts is maintained by _____.

All fee-earners are responsible for ensuring that the use of counsel, consultants or experts is undertaken in line with the procedures.

14.1.1 Selection Process

The Practice approves service providers on the basis of selection criteria which may include:

- a. Speed of response;
- b. Value for money;
- c. Expertise in field;
- d. Previous history;
- e. Reputation; and
- f. Recommendation.

Details of each approved provider are maintained in a central file using the Service Provider Form attached as Appendix 14A.

Service providers can be added or removed from the approved list using the above criteria. The fee-earner defines the requirements to use any external service provider.

The fee-earner selects a suitable service provider from the approved list and where appropriate agrees the selection with the client.

Where it is a first instruction to a new provider, the fee-earner contacts the individual to establish any additional information required and completes the Service Provider form.

The fee-earner prepares and issues instructions to the provider which clearly describe what is required of them, together with fee arrangements. A copy of the instructions is maintained in the matter file.

The fee-earner checks and reviews the service provided covering:

- a. Opinions and reports;
- b. Clarity of documentation;
- c. Adherence to instructions;
- d. Adherence to time-scales;
- e. Advice or action is comprehensive; and
- f. Fees are as agreed.

Copies of any report or opinion are sent to the client if the fee-earner considers it appropriate to do so. Where it is a new instruction the extent to which requirements have been met are recorded in the central list of service providers.

| SERVICE PROVIDER FORM | |
|------------------------------|-------------------------------------|
| Title: | _____ |
| Name: | _____ |
| Organisation: | _____ |
| Address: | _____ _____ |
| Contact Details: | Tel: _____ Mobile: _____ Fax: _____ |
| Type of Service: | _____ |
| Job Title: | _____ |
| Experience: | _____ |
| Comments: | _____ _____ _____ |
| Approved: | _____ |
| Not Approved: | _____ |
| Circumstances for use: | _____ |





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